



The original OSHA Act included language to the effect that employees should be apprised of all hazards to which they are exposed on the job. In the early 80's, OSHA implemented this instruction by enacting the Hazard Communication Standard (HCS) as 29 CFR 1910.1200. The Hazard Communication Standard for construction work, 29 CFR 1926.59, is essentially similar. The HCS became effective in 1986. A fundamental premise of this legislation is that employees who may be exposed to hazardous chemicals in the workplace have a right to know about the hazards and how to protect themselves. For this reason, the HCS is sometimes referred to as the Right-to-Know Legislation. Although the original HCS applied only to the manufacturing industry, subsequent court challenges have modified the scope of the law so that today the HCS applies to nearly all sectors of the work force.

The Hazard Communication Standard sets forth guidelines and requirements in six areas:

1. Chemical Labeling 29 CFR 1910.1200 (f)

This section requires that all chemicals in the workplace be labeled. The information which must be present includes the name of the chemical and warnings about any hazards the material may present. This requirement may be implemented in a variety of ways. Two such systems are the NFPA Hazard Identification System and the Hazardous Materials Identification Guide

2. Material Safety Data Sheets 29 CFR 1910.1200 (g)

An MSDS is a document that gives detailed information about a material, including any hazards associated with the material. MSDS's must be immediately available to employees at locations where hazardous materials are used.

3. Hazard Determination 29 CFR 1910.1200 (d)

States that the employer must identify and maintain a list of all hazardous chemicals used in the workplace.

4. Written Implementation Program  
29 CFR 1910.1200 (e)

Mandates that the employer develop a written plan, the Hazard Communication Program, detailing how the requirements of the HCS are implemented by the employer.

5. Employee Training 29 CFR 1910.1200 (h)

Requires that the employer provide to the employees training covering handling of hazardous materials, use and interpretation of both MSDS's and hazcom labels, and information about the HCS.

6. Trade Secrets 29 CFR 1910.1200 (i)

Sets forth the conditions under which a manufacturer may withhold information about a material, and the conditions under which such information must be divulged to health care providers.