

# **The University of Texas Rio Grande Valley Hazard Communication Program**

Texas Hazard Communication Act (THCA)

Texas Health and Safety Code Title 6. Subtitle D. Chapter 50



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## I. GENERAL INFORMATION:

- A. The Texas Hazard Communication Act (THCA), codified as Chapter 502 of the Health and Safety Code (HSC), requires all public employers to provide information to employees regarding hazardous chemicals they may be exposed to in the workplace. In order to comply with Section 502.009(b) of the THCA and Section 295.7(a) of the THCA Rules (Title 25 of the Texas Administrative Code (TAC), Section 295.1 – 295.13), this written Hazard Communication Program has been established for The University of Texas Rio Grande Valley.

The University of Texas Rio Grande Valley (UTRGV) Hazard Communication (HazCom) Program is administered through the Department of Environmental Health, Safety and Risk Management (EHSRM) with responsibility for compliance delegated throughout administrative channels to every supervisor. The UTRGV HazCom Program applies to all UTRGV employees and students at all of the campuses, who have occupational exposure to hazardous chemicals.

The University of Texas Rio Grande Valley, through the UTRGV HazCom Program, will comply with this Act by providing training, appropriate personal protective equipment, and information regarding hazardous chemicals to all employees.

- B. To facilitate administration of, and compliance with this program, the following levels of responsibility have been established:
1. **EHSRM** will have overall responsibility for administering and maintaining this program and ensuring that it meets all requirements of the THCA. The EHSRM will:
    - a. Assist departments with the implementation of, and compliance with this program;
    - b. Provide Hazard Communication training;
    - c. Maintain liaison with the Texas Department of State Health Services and/or the Texas Commission on Environmental Quality (TCEQ);
    - d. Submit required annual Texas Tier Two report and fee to the TCEQ by March 1<sup>st</sup> of the following year;
    - e. Provide a copy of the annual Texas Tier Two report to the Local Emergency Planning Committee and to the local fire department(s);
    - f. Provide the names and telephone numbers of emergency contacts to the local fire department(s);
    - g. Maintain Safety Data Sheet (SDS) database and provide Workplace Chemical Inventory Lists (WCLs) and Material Safety Data Sheets (MSDS) or Safety Data Sheets (SDS) upon request;
    - h. Report within 48 hours, either orally or in writing, the occurrence of a chemical accident that results in one or more fatalities or the hospitalization of five or more employees (this is to include circumstances of the accident, the number of fatalities, and the extent of injuries);

- i. In conjunction with each department, compile a Workplace Chemical Inventory Lists (WCLs) and maintain the lists for 30 years; and
  - j. Post official *Notice to Employees* at locations where notices are normally posted in each workplace ([English Notice](#), [Spanish Notice](#))
2. Each department and departmental supervisor will:
- a. Ensure all employees attend Hazard Communication training;
  - b. Ensure all employees are provided specific training regarding the use of chemicals in their workplace;
  - c. Report any incident(s) involving a hazardous chemical to EHSRM within 24 hours of occurrence;
  - d. Designate work areas as appropriate within each workplace;
  - e. Maintain *Notice to Employees* at locations where notices are normally posted in each workplace ([English Notice](#), [Spanish Notice](#));
  - f. Allow on-site inspections upon request;
  - g. Work with EHSRM to conduct Workplace Chemical Inventory List (WCL) for each work area other than a research laboratory;
  - h. Provide names and telephone numbers of emergency contacts;
  - i. Document and make available upon request copies of work area specific training;
  - j. Assure that SDSs on hazardous chemicals purchased are available, as required;
  - k. Provide employees with appropriate personal protective equipment and ensure that the equipment fits the individual;
  - l. Maintain and know how to access the work area inventory list, as appropriate;
  - m. Inform employees how to access SDS/MSDS and obtaining workplace chemical inventory lists.

**C. Employees will:**

- 1. Attend Hazard Communication training;
- 2. Use prudent practices and good judgment when using hazardous chemicals or hazardous procedures;
- 3. Notify other individuals who might be affected by the chemicals they use.

**NOTE:** Personnel who work with hazardous materials are expected to assume reasonable responsibility for the safety and health of themselves, others around them, and the environment.

**D. Contractors** will be required to comply with the Texas and Federal Hazard Communication Acts regarding hazardous or noxious chemicals or chemical products used during projects

within the UTRGV facilities and property. Contractors will be subject to routine inspections as part of the UTRGV contractor safety program.

## II. EXEMPTIONS

- A. Per Section 502.004(f), the following chemicals are exempt from the requirements of the THCA and are outside the scope of this written program:
  - 1. Hazardous waste that is subject to regulation by the Texas Commission on Environmental Quality (TCEQ) and/or the U.S. Environmental Protection Agency (EPA);
  - 2. A chemical in a laboratory under the direct supervision or guidance of a technically qualified individual if:
    - a. labels on incoming containers of chemicals are not removed or defaced
    - b. compliance with Sections 502.006 and 502.009 of the THCA with respect to laboratory employees; and
    - c. the laboratory is not used primarily to produce hazardous chemicals in bulk for commercial purposes
  - 3. Tobacco or tobacco products;
  - 4. Wood or wood products;
  - 5. Articles formed to a specific shape or design during manufacture and that do not release or otherwise result in exposure to a hazardous chemical under normal conditions of use;
  - 6. Food, drugs, cosmetics or alcoholic beverages;
  - 7. Consumer products or hazardous substances used in the workplace in the same manner as normal consumer use and if the use results in a duration and frequency of exposure that is not greater than exposures experience by a consumer; and
  - 8. Radioactive waste.
- B. Chemicals in a research laboratory are exempt from secondary labeling requirements and inventory requirements if:
  - 1. The lab is under the direct supervision or guidance of a technically qualified individual;
  - 2. Labels on primary containers of chemicals are not removed or defaced;
  - 3. Personnel training requirements are fulfilled;
  - 4. SDS/MSDS access requirements are satisfied;
  - 5. The laboratory is not used primarily to produce hazardous chemicals in bulk for commercial purposes.

**NOTE:** Labels for small containers, such as test tubes or vials, may be attached to the rack or container in which they are held, rather than on each tube or vial, if the contents of individual containers present the same hazard.

### III. DEFINITIONS

**Appropriate Hazard Warning** – Any words, pictures, symbols, or combination thereof appearing on a label or other appropriate form of warning which convey the health and physical hazards, including the target organ effects of the chemical(s) in the container(s).

**Categories of Hazardous Chemicals** – A grouping of hazardous chemicals with similar properties.

**Container** – Any bag, barrel, bottle, box, can, cylinder, drum, reaction vessel, storage tank, or the like that contains a hazardous chemical or contains multiple smaller containers of an identical hazardous chemical. The term “container” does not mean pipes or piping systems, nor does it mean engines, fuel tanks, or other operating systems in a vehicle. A primary container is one in which the hazardous chemical is received from the supplier. A secondary container is one to which the hazardous chemical is transferred after receipt from the supplier.

**Employee** – A person who may be or may have been exposed to hazardous chemicals in the person’s workplace under normal operating conditions or foreseeable emergencies. Workers such as office workers or accountants who encounter hazardous chemicals only in non-routine, isolated instances are not employees for the purposes of this Act.

**Expose** – Subjecting an employee to a hazardous chemical in the course of employment through any route of entry, including inhalation, ingestion, skin contact, or absorption. The term includes potential, possible, or accidental exposure under normal conditions of use or in a reasonably foreseeable emergency.

**GHS** – The GHS is an acronym for the Globally Harmonized System of Classification and Labeling of Chemicals. The GHS is a system for standardizing and harmonizing the classification and labeling of chemicals.

**Hazardous Chemical or Chemical** – A hazardous chemical is defined by the [THCA](#) as any element, compound, or mixture of elements or compounds that is a health hazard or a physical hazard as defined by the federal [Occupational Safety and Health Administration \(OSHA\) Hazard Communication Standard](#). Examples of chemicals which are health hazards include chemicals that are toxic, irritants, corrosives, carcinogens, and any chemicals that damage the lungs, eyes, skin, or mucous membranes. Examples of chemicals that are physical hazards include chemicals that are flammable, combustible, explosives, and compressed gases.

**Health Hazard** – A chemical for which acute or chronic health effects may occur in exposed employees and which is a toxic agent, irritant, corrosive, or sensitizer.

**Label** – Any written, printed, or graphic material displayed on or affixed to containers of hazardous chemicals, and which includes the same name as on the Safety Data Sheet (SDS) or Material Safety Data Sheet (MSDS).

**Material Safety Data Sheet (MSDS)** – A document containing chemical hazard and safe handling information for the hazardous chemical as determined by the chemical's manufacturer. Now called Safety Data Sheets (SDS).

**Physical Hazard** – A chemical which is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive), or water-reactive.

**Personal Protective Equipment** – Protective equipment provided to an employee by the employer which provides a level of protection to chemicals to which an employee may be exposed that will be adequate to ensure their health and safety based on current industry standards.

**Safety Data Sheet (SDS)** – The Hazard Communication Standard (HCS) (29 CFR 1910.1200(g)), aligned with the GHS in 2012, requires that the chemical manufacturer, distributor, or importer provide Safety Data Sheets (SDSs) for each hazardous chemical to downstream users to communicate information on these hazards. Safety Data Sheets were formerly called Material Safety Data Sheets, or MSDSs. The information contained in the MSDS is largely the same as the SDS, except now the SDSs are required to be presented in a consistent, user-friendly, 16 section format.

**Stationary Process Container** – A tank, vat, or other such container which holds different hazardous chemicals at different times.

**Technically Qualified Individual** – An individual with a professional education and background working in the research or medical fields, such as a physician or registered nurse, or an individual holding a minimum of a bachelor's degree in a physical or natural science.

**Work Area** – A room, defined space, utility structure, or emergency response site in a workplace where hazardous chemicals are present, produced, or used, and where employees are present.

**Workplace** – A contiguous facility that is staffed 20 hours or more per week, unless such a facility is subdivided by the employer. Normally this subdivision would be a building, cluster of buildings or other structures, or a complex of buildings, but could be for a portion of a building if the employer chooses. Noncontiguous properties are always separate workplaces unless they are temporary workplaces, in which case they can be either work areas or a headquarters' workplace or separate workplaces, which is at the discretion of the employer.

## **IV. CHEMICAL INVENTORY (HSC §502.005 - §502.006 AND 25 TAC §295.4)**

### **A. Workplace Chemical List (WCL)**

Each work area (e.g., teaching laboratory, chemical stock room, paint shop, visual arts , print shop ; but not research labs) will maintain an inventory list of all hazardous chemicals or chemical products present in the work area that exceed 55 gallons or 500 lbs. The weight of the chemical is determined using the aggregate amount of the chemical in the entire workplace. The hazardous chemicals or products will be listed using the same name found on the label and SDS. The WCL will be updated when a new chemical or additional quantity above normal restocking amounts of chemical is purchased. The WCLs are readily accessible to employees through the electronic reporting system maintained by EHSRM. The WCL will include, as appropriate:

1. Identify of the hazardous chemical.
2. The work area in which the chemical is normally present.
3. The name and signature of the person who prepared the WCL.
4. The date on which the WCL was prepared.
5. Maximum quantity.

Environmental Health, Safety and Risk Management will use the inventories to compile a Workplace Chemical Inventory (WCL). The WCL includes only those hazardous chemicals in a designated workplace that are equal to or greater than 55 gallons or 500 pounds. If a designated workplace is occupied by more than one department, a single WCL will be compiled by combining inventories for all departments within the workplace. The WCL will remain on file at the EHSRM for 30 years. A new WCL for each designated workplace will be compiled by December 31<sup>st</sup> of each year, or as needed. UTRGV employees may obtain a copy of the WCL from EHSRM upon request.

### **B. Tier Two Report - HSC 295.182(d); 506.006:**

The EHSRM Environmental Protection Program will compile a Texas Tier Two Report for all respective UTRGV campuses that contain Hazard Material in significant quantities above the threshold limits. The Texas Tier Two Report includes all hazardous chemicals and chemical products exceeding 10,000 pounds and all extremely hazardous substances exceeding 500 pounds or the Threshold Planning Quantity, whichever is less (a list of Extremely Hazardous Substances and the Threshold Planning Quantities can be found at the [Texas Commission on Environmental Quality](#) (TCEQ)). The report will be submitted by March 1<sup>st</sup> each year, for the preceding calendar year, to the Texas Commission on Environmental Quality with the appropriate filing fees. A copy of the Tier Two Report will remain on file at the EHSRM until the following year's report is filed with the TCEQ. A copy of each Texas Tier the Report is sent to the Local Emergency Planning Committee, and the respective Fire Department in the campus location (City of Edinburg, City of Brownsville, and City of Harlingen.) The Tier Two Report will be revised and reported to TDSHS and local agencies, as appropriate.



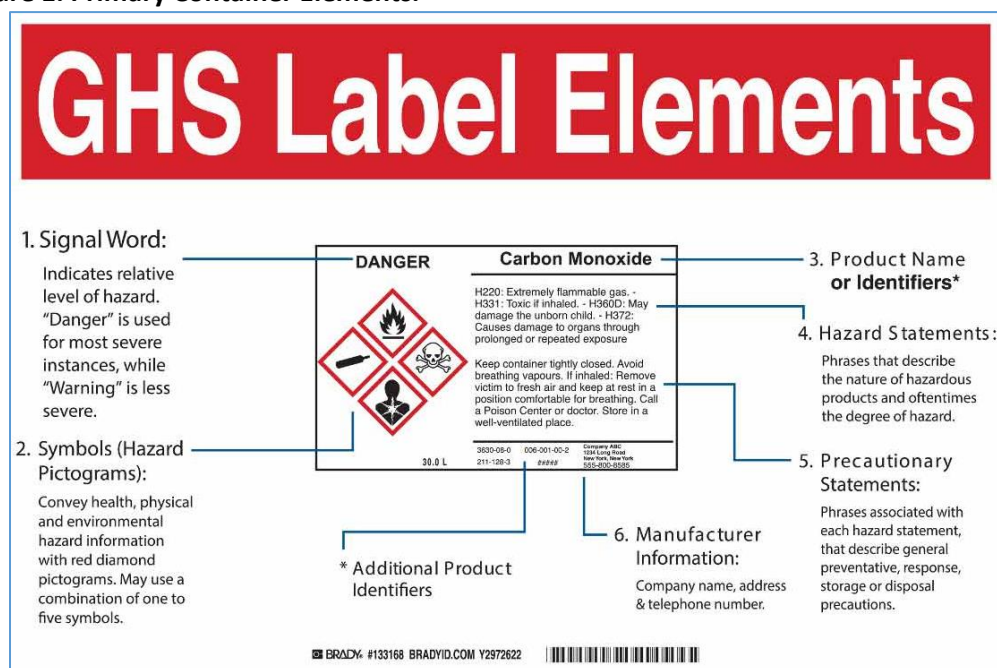
## V. SAFETY DATA SHEETS (SDS's) (HSC §502.006 AND TAC §295.5)

- A. Safety Data Sheets (SDSs) are maintained at the Environmental Health, Safety and Risk Management on an electronic data base and available to the UTRGV community by contacting the EHSRM at 665-3690; emailing the EHSRM ([ehsrn@utgrv.edu](mailto:ehsrn@utgrv.edu)), requesting one from your immediate supervisor, notifying the professor or teach assistant in a laboratory, or by contacting the manufacturer or distributor.
- B. Emergency responders are provided SDSs as soon as practical upon request.

## VI. CHEMICAL CONTAINER LABELS (HSC §502.007 AND TAC §295.6)

- A. A label on an existing container of a hazardous chemical may not be removed or defaced unless it is illegible, inaccurate, or does not conform to the OSHA standard or other applicable labeling requirement.
- B. All containers of hazardous chemicals used or stored will be appropriately labeled.
- C. **Primary Container Labeling:** Each department is responsible for container labeling and will verify that all primary containers of hazardous chemicals are clearly labeled to include:
  1. Signal Word
  2. GHS Symbol (Hazard Pictogram)
  3. Product Name or Identifiers
  4. Hazard Statements
  5. Manufacturer Information
  6. Precautionary Statements /First Aid

Figure 1. Primary Container Elements.



- D. **Secondary Container Labeling.** All secondary containers of hazardous chemicals are clearly labeled to include:
  - 1. The identity of the chemicals as it appears on the SDS/MSDS
  - 2. The appropriate hazard warnings (e.g. poison, flammable, corrosive, carcinogen, etc.)
- E. A description of alternative labeling systems, if used, is provided to employees. Examples of the alternative labeling systems are the National Fire Protection Association (NFPA) 704m standard and the Hazardous Materials Information Systems (HMIS) standard.
- F. Each department will rely on the chemical manufacturers or distributors to provide labels which meet the above requirements for primary containers of all hazardous chemicals purchased, and will re-label containers only when the label is illegible or otherwise does not meet the above requirements.

## **VII. EMPLOYEE TRAINING PROGRAM (HSC §502.009 AND 25 TAC §295.7)**

- A. EHSRM and each department will provide an education and training program to all employees who routinely use or handle hazardous chemicals in their workplace. This includes the following locations:
  - 1. Academic and Research Laboratories
  - 2. All Facilities employees
  - 3. Print Shop
  - 4. Visual Arts
  - 5. University of Texas Police
- B. EHSRM and each department will be responsible for the employee training program and will ensure that:
  - 1. Appropriate training is provided to all covered employees and includes:
    - a. The use of information provided on SDSs and chemical container labels.
    - b. The physical and health effects of exposure.
    - c. Proper use of personal protective equipment.
    - d. Safe handling of hazardous chemicals.
    - e. First aid treatment for exposure to hazardous chemicals.
    - f. Safety instruction on clean-up and disposal of hazardous chemicals.
  - 2. Each department trains on the location of hazardous chemicals present in the employees' work areas.
- C. Required training records are maintained and include:
  - 1. The date of the training session.
  - 2. Legible list of all employees attending the training session.
  - 3. The subjects covered.
  - 4. The name of the instructor(s).

- D. All covered employees are identified and incorporated into the training program.
- E. Employees are provided information concerning the hazardous chemicals to which they may be exposed during the performance of non-routine tasks.
- F. New employees are trained prior to their being required to use or handle a hazardous chemical.
- G. The need and frequency for periodic/refreshers training is assessed.
- H. Employees subject to these training requirements will sign an attendance roster for each training session attended, verifying that they received and understood the information.

**NOTE:** All personnel who work in laboratories and laboratory support facilities will receive the appropriate training. Hazard communication training is included in Basic Laboratory Safety training. Students enrolled in laboratory courses will receive appropriate safety information and instruction if class work involves hazardous chemicals; the instructor or class supervisor will provide this training.

### **VIII. REPORTING EMPLOYEE DEATHS AND INJURIES (HSC §502.012 AND 25 TAC §295.9)**

- A. EHSRM will notify the Texas Department of State Health Services, Division for Regulatory Services, Policy, Standards & Quality Assurance Department, Environmental Hazards Group, of any employee accident that involves a hazardous chemical exposure or asphyxiation, and that is fatal to one or more employees or results in the hospitalization of five or more employees.
- B. EHSRM will be responsible for reporting all such accidents to the Texas Department of State Health Services, Division for Regulatory Services, Policy, Standard & Quality Assurance Department, Environmental Hazards Group, within 48 hours after their occurrence. Notifications will be made either orally or in writing to:

Texas Department of State Health Services Division for Regulatory Services Policy,  
Standards & Quality Assurance Department Environmental Hazards Group  
PO Box 149347, MC 1987  
Austin, TX 78714-9347  
Phone: (512) 834-6787 Fax: (512) 834-6726

- C. Employees will be responsible for reporting all accidents involving a hazardous chemical to their supervisor.
- D. Supervisors will be responsible for reporting all accidents involving a hazardous chemical to EHSRM and ensure completion of the first report of injury.

## **IX. POSTING THE *NOTICE TO EMPLOYEES* (HSC §502.0017 AND 25 TAC§295.12)**

- A. Each department will post and maintain in all workplaces where hazardous chemicals are used or stored the most current version of the THCA *Notice to Employees*, informing employees of their rights under the THCA (see Attachment A, *Notice to Employees*.)
- B. The *Notice to Employees* shall be clearly posted and unobstructed at all locations in the workplace where notices are normally posted, and with at least one location in each workplace.
- C. In workplaces where employees that have difficulty reading or understanding English may be present, a copy of the *Notice to Employees*, printed in Spanish, will be posted together with the English version. (See attachment B, *Notice to Employees*, Spanish version (*Aviso Al Empleado*.) Additional copies of the *Notice to Employees*, in both English and Spanish, are available on the Hazard Communication Worker Right-To-Know [website](#).

## **X. PERSONAL PROTECTIVE EQUIPMENT (HSC §502.017 AND 25 TAC §295.12)**

- A. Each department will provide appropriate personal protective equipment (PPE) free of charge to all employees who use or handle hazardous chemicals.
- B. Each department with assistance from EHSRM will administer a PPE program and will ensure that appropriate equipment and training are provided to include:
  - 1. Proper selection of PPE based on:
    - a. Routes of entry
    - b. Permeability of PPE material
  - 2. Duties being performed by the employee
  - 3. Hazardous chemicals present
  - 4. Proper fit and functionality of PPE as described by the manufacturer's specifications
  - 5. Appropriate maintenance and storage of PPE

## **XI. MAINTAINING EMPLOYEE RIGHTS (HSC §502.017 AND TAC §295.12)**

- A. The University of Texas Rio Grande Valley shall not discipline, harass, or discriminate against any employee for filing complaints, assisting inspectors of the Texas Department of State Health Services, participating in proceedings related to the Texas Hazard Communication Act, or exercising any rights under the Act.
- B. Employees cannot waive their rights under the Texas Hazard Communication Act. A request or requirement for such a waiver by an employer is a violation of the Act.

## Attachment A

*Notice to Employees (English version)*

# NOTICE TO EMPLOYEES

The Texas Hazard Communication Act, codified as Chapter 502 of the Texas Health and Safety Code, requires public employers to provide employees with specific information on the hazards of chemicals to which employees may be exposed in the workplace. As required by law, your employer must provide you with certain information and training. A brief summary of the law follows.

**HAZARDOUS CHEMICALS**

Hazardous chemicals are any products or materials that present any physical or health hazards when used, unless they are exempted under the law. Some examples of more commonly used hazardous chemicals are fuels, cleaning products, solvents, many types of oils, compressed gases, many types of paints, pesticides, herbicides, refrigerants, laboratory chemicals, cement, welding rods, etc.

**WORKPLACE CHEMICAL LIST**

Employers must develop a list of hazardous chemicals used or stored in the workplace in excess of 55 gallons or 500 pounds. This list shall be updated by the employer as necessary, but at least annually, and be made readily available for employees and their representatives on request.

**EMPLOYEE EDUCATION PROGRAM**

Employers shall provide training to newly assigned employees before the employees work in a work area containing a hazardous chemical. Covered employees shall receive training from the employer on the hazards of the chemicals and on the measures they can take to protect themselves from those hazards. This training shall be repeated as needed, but at least whenever new hazards are introduced into the workplace or new information is received on the chemicals which are already present.

**SAFETY DATA SHEETS**

Employees who may be exposed to hazardous chemicals shall be informed of the exposure by the employer and shall have ready access to the most current Safety Data Sheets (SDSs) or Material Safety Data Sheets (MSDSs) if an SDS is not available yet, which detail physical and health hazards and other pertinent information on those chemicals.

**LABELS**

Employees shall not be required to work with hazardous chemicals from unlabeled containers except portable containers for immediate use, the contents of which are known to the user.

**EMPLOYEE RIGHTS**

Employees have rights to:

- access copies of SDSs (or an MSDS if an SDS is not available yet)
- information on their chemical exposures
- receive training on chemical hazards
- receive appropriate protective equipment
- file complaints, assist inspectors, or testify against their employer

Employees may not be discharged or discriminated against in any manner for the exercise of any rights provided by this Act. A waiver of employee rights is void; an employer's request for such a waiver is a violation of the Act. Employees may file complaints with the Texas Department of State Health Services at the telephone numbers provided below.

**EMPLOYERS MAY BE SUBJECT TO ADMINISTRATIVE PENALTIES AND CIVIL OR CRIMINAL FINES RANGING FROM \$50 TO \$100,000 FOR EACH VIOLATION OF THIS ACT**

Further information may be obtained from:

Texas Department of State Health Services  
Consumer Protection Division  
Policy, Standards, & Quality Assurance Section  
Environmental Hazards Unit  
PO Box 149347, MC 1987  
Austin, TX 78714-9347



(512) 834-6787  
(800) 293-0753 (toll-free)  
Fax: (512) 834-6726  
E-mail: TXHazComHelp@dshs.texas.gov  
Website: www.dshs.texas.gov/hazcom

Texas Department of State  
Health Services

Worker Right-To-Know Program  
Publication # 23-14173  
Revised 05/2018



## Attachment B

## Notice to Employees (Spanish version)

# AVISO AL EMPLEADO

La Ley de Comunicación sobre Peligros de Texas, codificada como el capítulo 502 del Código de Salud y Seguridad de Texas, exige que los empleadores públicos le provean a los empleados información específica sobre los peligros de los químicos a los que los empleados podrían estar expuestos en el centro de trabajo. Según exige la ley, su empleador debe proveerle cierta información y capacitación. A continuación presentamos un breve resumen de la ley.

## QUÍMICOS PELIGROSOS

Los químicos peligrosos son cualquier producto o material que represente algún peligro físico o de salud al ser usado, a menos que esté quede exento bajo la ley. Como ejemplos de químicos peligrosos más comúnmente usados están los combustibles, los productos de limpieza, los solventes, muchos tipos de aceite, los gases comprimidos, muchos tipos de pintura, los pesticidas, los herbicidas, los refrigerantes, los químicos de laboratorio, el cemento, las varillas de soldadura, etc.

## LISTA DE QUÍMICOS EN EL CENTRO DE TRABAJO

Los empleadores deben desarrollar una lista de los químicos peligrosos usados o almacenados en el centro de trabajo que sobrepasen los 55 galones o las 500 libras. El empleador debe renovar la lista de ser necesario, y al menos anualmente, y debe ponerla a fácil disposición de los empleados y de sus representantes al esta ser solicitada.

## PROGRAMA DE INSTRUCCIÓN DEL EMPLEADO

Los empleadores deben proveerle capacitación a los empleados recién asignados antes de que los empleados trabajen en un área de trabajo que contenga químicos peligrosos. Los empleados contemplados en la ley deben recibir capacitación del empleador sobre los peligros de los químicos y sobre las medidas que ellos mismos pueden tomar para protegerse de dichos peligros. La capacitación debe repetirse de ser necesario, y al menos cuando se introduzcan nuevos peligros en el centro de trabajo o se reciba nueva información sobre los químicos que ya están presentes.

## HOJAS DE DATOS DE SEGURIDAD

El empleador debe informar de la exposición a los empleados que pudieran estar expuestos a químicos peligrosos y ellos deben tener acceso fácil a las hojas de datos de seguridad (SDS) o las hojas de datos de seguridad del material (MSDS) más recientes si es que todavía no hay una SDS disponible, las cuales detallan los peligros físicos y de salud y cualquier otra información pertinente sobre dichos químicos.

## ETIQUETAS

No se requerirá que los empleados trabajen con químicos peligrosos provenientes de contenedores que no están etiquetados con excepción de los contenedores portátiles de uso inmediato, el contenido de los cuales el usuario conoce.

## DERECHOS DEL EMPLEADO

Los empleados tienen derecho a:

- acceder a copias de las SDS (o una MSDS si es que todavía no hay una SDS disponible)
- la información sobre sus exposiciones químicas
- recibir capacitación sobre los peligros químicos
- recibir el equipo protector apropiado
- presentar quejas, asistir a los inspectores y testificar en contra de su empleador

No se despedirá a los empleados ni se les discriminará de ninguna manera por ellos ejercer cualquiera de los derechos que esta ley estipula. Las renunciaciones de derechos del empleado no tienen ninguna validez; el que el empleador solicite ese tipo de renuncia infringe esta ley. Los empleados pueden presentar sus quejas ante el Departamento Estatal de Servicios de Salud de Texas llamando al teléfono sin costo provisto abajo.

## LOS EMPLEADORES PODRÍAN ESTAR SUJETOS A SANCIONES ADMINISTRATIVAS Y A MULTAS CIVILES O PENALES QUE VAN DESDE LOS \$50 HASTA LOS \$100,000 DÓLARES POR CADA INFRACCIÓN DE ESTA LEY

Puede obtener mayor información en:

Texas Department of State Health Services  
Consumer Protection Division  
Policy, Standards, & Quality Assurance Section  
Environmental Hazards Unit  
PO Box 149347, MC 1987  
Austin, TX 78714-9347

(512) 834-6787  
(800) 293-0753 (llamada gratuita)  
Fax: (512) 834-6726  
E-mail: TXHazComHelp@dshs.texas.gov  
Website: www.dshs.texas.gov/hazcom



Texas Department of State  
Health Services

Worker Right-To-Know Program  
Publication # 23-14173A  
Revised 05/2018