



UNIVERSITY OF GEORGIA

**The University of Georgia
Workplace Hazardous Chemical
Protection Communication (Right-to-
Know) Plan**

**Environmental Safety Division
Right to Know Program**

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SUMMARY

This Right to Know plan was developed for the University of Georgia (UGA) to comply with the State of Georgia Public Employees Hazardous Chemical Protection and Right to Know Act of 1988 as amended and the Georgia Department of Labor (GA D.O.L) Safety Engineering Section Chapter 300-3-19 the Public Employees Hazardous Chemical Protection and Right to Know rules. This plan also includes the latest version (O.C.G.A) 2015 Georgia Code TITLE 45 - PUBLIC OFFICERS AND EMPLOYEES CHAPTER 22 - PUBLIC EMPLOYEE HAZARDOUS CHEMICAL PROTECTION AND RIGHT TO KNOW. The University of Georgia Hazardous Chemical Protection Communication (Right to Know) Plan is imperative for communicating workplace chemical hazards to employees. This plan lays out the responsibilities for all employees at UGA and the required administrative controls for managing this plan in the workplace.

SCOPE

All employees who are “subjected to a hazardous chemical in the course of employment through any route of entry including, but not limited to, inhalation, ingestion, skin contact or absorption, and includes potential or accidental exposure” (GA D.O.L. Safety Engineering Section Chapter 300-3-19-.01, 1993) as defined by workplace, UGA shall comply with the Right to Know Plan. The UGA RTK Plan is available by contacting the UGA Right to Know Coordinator with the Environmental Safety Division or by accessing the Environmental Safety Division webpage at <https://esd.uga.edu/right-know>

No employee of UGA shall be discharged, disciplined, or discriminated against for exercising their rights under this law. Any employee adversely affected for exercising their rights under this plan may file a grievance in accordance with UGA’s established grievance procedures. Employees dissatisfied with the final decision of an appointed authority may file a grievance in accordance with rules promulgated under the Department of Administrative Services (DOAS) Administrative Procedures Act.

LEGAL REFERENCES

State of Georgia Public Employees Hazardous Chemical Protection and Right to Know Act of 1988 – O.C.G.A. § 45-22-1 through 12.

State of Georgia Administrative Procedures Act O.C.G.A § 50-13-1

Department of Labor Safety Engineering Section Chapter 300-3-19. Public Employee Chemicals Protection and Right to Know Rule

DEFINITIONS

Chemical name – “scientific designation of a chemical in accordance with nomenclature system developed by the International Union of Pure and Applied Chemistry (IUPAC) or the Chemical Abstracts Service” (GA D.O.L. Safety Engineering Section Chapter 300-3-19-.01, 1993).

Chemical-specific Right to Know Training – Specific training provided to all employees who are exposed to hazardous chemicals as part of normal job function by lab principal investigators or site managers.

Chematix – online chemical inventory tracking and hazardous waste disposal system used by UGA.

Common name – “any designation or identification such as code name, code number, trade name, or brand name used to identify a chemical other than by its chemical name” (GA D.O.L. Safety Engineering Section Chapter 300-3-19-.01, 1993).

Contractor – “any person under contract or agreement to provide labor or services to a public employer” (GA D.O.L. Safety Engineering Section Chapter 300-3-19-.01, 1993).

Employee – any person who is employed by UGA.

Employer – University of Georgia (UGA).

Exposure - “route of entry including, but not limited to, inhalation, ingestion, skin contact or absorption, and includes potential or accidental exposure” (GA D.O.L. Safety Engineering Section Chapter 300-3-19-.01, 1993).

GA D.O.A.S – Georgia Department of Administrative Services

GA D.O.L – Georgia Department of Labor (At the time this document was revised, the Georgia Department of Labor Safety and Engineering no longer regulated the State of Georgia Right to Know Program. The Right to Know program is now operated by The State of Georgia Office of Insurance and Safety Fire Commissioner.)

Globally Harmonized System (GHS) - GHS stands for the **Globally Harmonized System** of Classification and Labelling of Chemicals. GHS defines and classifies the hazards of chemical products and communicates health and safety information on labels and safety data sheets.

Hazardous chemical - “any chemical which is a physical or health hazard” (GA D.O.L. Safety Engineering Section Chapter 300-3-19-.01, 1993).

Health hazard – “a chemical for which there is statically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occurred in exposed employees and shall include all examples of hazardous chemicals to which references is made in definition of health hazard under the Occupational Safety and Health Administration standard, 29 CFR Section 1910.1200 (1987)” (GA D.O.L. Safety Engineering Section Chapter 300-3-19-.01, 1993).

Impurity – “a hazardous chemical which is unintentionally present with another chemical or mixture” (GA D.O.L. Safety Engineering Section Chapter 300-3-19-.01, 1993).

Laboratory work area – a work area that has been designated as laboratory and shall have the defining characteristics of storing chemicals and/or a space used to conduct research.

Manufacturer – “a person who produces, synthesizes, extracts, or otherwise makes hazardous chemicals” (GA D.O.L. Safety Engineering Section Chapter 300-3-19-.01, 1993)

Mixture – “any combination of two or more chemical if the combination is not, in whole or in part, the result of a chemical reaction” (GA D.O.L. Safety Engineering Section Chapter 300-3-19-.01, 1993).

PEP – Professional Education Portal for University of Georgia employees.

Phase I Right Phase I Right to Know Training – Training provided to all employees of UGA during the onboarding process, which provides information about the Right to Know Act of 1988.

Phase II Right to Know Training – A secondary more comprehensive training provided to specific employees with specific job functions that work with or around hazardous chemicals.

O.C.G.A – Official Code of Georgia Annotated

Office of Insurance and Safety Fire Commissioner – State of Georgia agency that oversees the Georgia Right to Know program.

Physical Hazard – “a chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive), or water reactive” (GA D.O.L. Safety Engineering Section Chapter 300-3-19-.01, 1993).

Produce – “to manufacture, process, formulate, or repackage” (GA D.O.L. Safety Engineering Section Chapter 300-3-19-.01, 1993).

Safety Data Sheet (SDS) – “document prepared by manufacturers in accordance with the requirements of the Occupational Safety and Health Administration standard, 29 CFR Section 1910.0000 through 1910.1500 (1987) and containing the following information: To include the 16 informational Sections identified by the Globally Harmonized System (GHS)

- Section 1—Identification: Product identifier, manufacturer or distributor name, address, phone number, emergency phone number, recommended use, and restrictions on use.
- Section 2—Hazard(s) identification: All hazards regarding the chemical and required label elements.
- Section 3—Composition/Information on ingredients: Information on chemical ingredients and trade secret claims.
- Section 4—First-aid measures: Required first aid treatment for exposure to a chemical and the

- symptoms (immediate or delayed) of exposure.
- Section 5—Fire-fighting measures: The techniques and equipment recommended for extinguishing a fire involving the chemical and hazards that may be created during combustion.
- Section 6—Accidental release measures: Steps to take in the event of a spill or release involving the chemical. Includes: emergency procedures, protective equipment and proper methods of containment and cleanup.
- Section 7—Handling and storage: Precautions for safe handling and storage, including incompatibilities.
- Section 8—Exposure controls/Personal protection: OSHA’s permissible exposure limits (PELs), threshold limit values (TLVs), appropriate engineering controls, and personal protective equipment (PPE).
- Section 9—Physical and chemical properties: The chemical’s characteristics.
- Section 10—Stability and reactivity: Chemical stability and possible hazardous reactions.
- Section 11—Toxicological information: Routes of exposure (inhalation, ingestion, or absorption contact), symptoms, acute and chronic effects, and numerical measures of toxicity.
- Section 12—Ecological information: How the chemical might affect the environment and the duration of the effect.
- Section 13—Disposal considerations—describes safe handling of wastes and methods of disposal, including the disposal of any contaminated packaging.
- Section 14—Transportation information—includes packing, marking, and labeling requirements for hazardous chemical shipments.
- Section 15—Regulatory information—indicates regulations that apply to chemical.
- Section 16—Other information—includes date of preparation or last revision.

UGAmart – UGA’s central procurement system for purchasing chemicals.

Workspace – means an establishment or business at one geographic location at which work is performed by state employees and which contains one or more work areas. In the case of an independent contractor or subcontractor, the workplace shall be defined as all work areas wholly owned or controlled by such independent contractor or subcontractor.

RESPONSIBILITIES

UGA Right to Know Coordinator

The UGA Right to Know Coordinator is responsible to:

- Act as a liaison between UGA and the Board of Regents Office of Environmental and Occupation Safety on hazardous chemical issues and the UGA Right to Know Program;
- Resolve questions regarding the applicability of the State of Georgia Public Employees Hazardous Chemical Protection and Right to Know Act of 1988 as amended, the Department of Labor Safety Engineering Section Chapter 300-3-19 Public Employees Hazardous Chemical Protection and Right to Know Rules, and the University of Georgia Hazardous Chemical Protection Communication (Right to Know) Plan;
- Ensure appropriate and adequate Right to Know training is available to all employees as applicable;
- Develop a written workplace specific hazard communication program for UGA;
- Review and update as necessary the UGA Right to Know plan, at least annually;
- Inform UGA employees where to access online training in the uses and hazards associated with chemicals to which they may be exposed in the workplace;
- Provide information for how all UGA employees can have access to current safety data sheets (SDS) upon request for those hazardous chemicals used in their respective work areas;
- Coordinate access to UGA's subscription to SDSOnline (online provider of SDS for all UGA employees);
- Upon request, provide documentation of employee Right to Know training from the UGA HR, unit managers, or the Professional Education Portal (PEP); and
- Maintain and compile the hazardous chemical list for all UGA work areas and distribute a copy of this list to the University System of Georgia Right to Know Coordinator prior to June 30th and January 31st of each year.

UGA Human Resources

UGA Human Resources will provide access to all new university employees to the Phase I Right to Know training during the onboarding process and retain records of the completion of the Right to Know training. Individuals can check with the office of Human Resources and/or their department's human resources representative to obtain records of the completion of the Phase I Right to Know training, or individually access completion records through PEP.

Administrative Personnel

Deans, Department Heads, and Division Heads are responsible for ensuring that their employees have plans in place for training over any operations occurring in their work areas, and where there is the possibility of exposure to hazardous chemicals.

Principal Investigators, Laboratory Supervisors, and Workplace Supervisors

Principal Investigators, Laboratory Supervisors, and Workplace Supervisors are responsible to:

- Maintain accurate chemical inventories in Chematix for the locations over which they have responsibility;
- Provide oversight, technical guidance, and training to employees regarding chemical hazards to which they might be exposed to in the workplace;
- Provide oversight, technical guidance, and training to employees regarding appropriate selection, use, and maintenance of personal protective equipment for the hazards present in the workplace;
- Properly train all employees in the workspace on how to obtain SDS through either Chematix or SDSOnline. SDS can also be obtained directly from the vendor. Employees can contact the UGA Right to Know Coordinator (706-542-5801) if assistance is needed in obtaining an SDS; and
- Ensure records of annual Chemical Specific Right to Know training are kept in a central location appropriate for the workplace.

EXEMPTIONS FROM THIS PLAN

The following items, articles, and products are not subject to the requirements of the Right to Know Plan:

- Impurities which develop as intermediate materials during chemical processing but are not present in the final mixture and to which employee exposure is unlikely;
- Alcoholic beverages as defined in Title 3 and articles intended for personal consumption by employees in the workplace;
- Any consumer product which can be demonstrated as being used in the workplace in the same manner as it would be during normal consumer use and which use results in a duration and frequency of exposure which is not greater than exposures experienced by consumers;
- Articles sold or used in retail food establishments and retail trade establishments;
- Chemicals which are merely being transported in the state as part of a shipment of interstate or intrastate commerce; and
- Chemicals or mixtures which may be hazardous but which are covered by the federal Atomic Energy Act and the federal Resource Conservation and Recovery Act.

PROCUREMENT OF HAZARDOUS CHEMICALS

All chemical orders must be processed using UGA mart, UGA's central procurement system. Non-hazardous chemicals can be delivered directly to UGA campus addresses. Hazardous chemicals intended for laboratory use will be routed to UGA Central Chemical Receiving for redelivery after barcode-labeling and insertion into the chemical inventory tracking system.

ACCESS TO SAFETY DATA SHEETS

Any employee of UGA has the right to examine and obtain the SDS for the hazardous chemicals to which he/she is, has been, or may be exposed. Principal Investigators, Laboratory Supervisors, and Workspace Supervisors are responsible for maintaining accessibility to SDS for employees in their workspaces for review during each work shift, including both immediate access to necessary information in an emergency and daily access to all information as a reference source.

A SDS may be designed to cover groups of hazardous chemicals in a work area to address the hazards of a process rather than an individual hazardous chemical.

There are several ways by which a work area may meet the requirement to provide access to the SDS for hazardous chemicals present in the workspace.

Hard copy

- Workspaces without electronic access to SDS or that choose to only have hard copies of SDS shall maintain SDS in alphabetized form as hard copies in a binder. To ensure immediate accessibility, SDS binders must be visible and available to all employees and emergency personnel.
- Immediately upon receipt of a chemical in areas without electronic access to SDS, the SDS should be added to the SDS work area binder. If assistance is needed in obtaining a copy of a SDS, please contact the Right to Know Coordinator at (706) 542-5801. In addition, the chemical manufacturers may be contacted for SDS access.

Electronic copy

- Workspaces are permitted to keep electronic copies of SDS for hazardous chemicals present in the space as a means for all employees to always have ready access to the SDS.
- A workspace may provide access to SDS via the internet through the University of Georgia Environmental Safety Website or Chematix in lieu of hard copy SDS.
- A workspace may use a computer or laptop located in the work area to access SDS online through the UGA Environmental Safety website or SDSOnline. The computer or laptop **does not** need to be dedicated exclusively for access to SDS.

Faculty, staff, and other personnel may use personal laptops, mobile devices and/or electronic devices web connected devices to access SDS through the University of Georgia Environmental Safety Website or Chematix.

***Disclaimer**

As noted above, at the time this document was revised (September 2017), the Georgia Department of Labor Safety and Engineering no longer regulated the State of Georgia Right to Know Program. The Right to Know program is now operated by The Office of Insurance and Safety Fire Commission. Currently The Office of Insurance and Safety Fire Commission has not officially provided legal language on personal access of Safety Data Sheets through personal or dedicated electronic devices as an option in lieu of up to date and properly managed hard copy Safety Data Sheets.

Access to SDS during an Emergency

During an emergency, UGA personnel in a workspace may lose electric power and/or access to the internet or may need to evacuate a work area.

During an emergency, in the event that the regular methods described above of getting access to SDS, UGA personnel may contact the Poison Control Center (PCC) at 1-800-222-1222. The PCC has access to a large database of SDS.

IMPORTANT Please have the known chemical name and concentration at the time of the call to assist the operator with locating the needed SDS.

CONTAINER LABELING**Original Containers:**

Any UGA employee ordering a chemical in each workspace should ensure that all containers received for use will:

- be clearly labeled as to the contents and;
display the appropriate hazard warnings.

Temporary (Secondary) Containers:

The work shift supervisor in each work area is responsible for ensuring that all temporary containers for hazardous chemicals are labeled with either an extra copy of the original manufacturer's label or with a label containing:

- the identity of the contents and;
the date of filling.

An employee shall not be required to label temporary containers into which hazardous chemicals are transferred from labeled containers provided that the hazardous chemical transferred to the temporary containers are intended only for the immediate use by the employee who performs the transfer or who is present at the time of such transfer.

Unlabeled Containers:

If an employee finds a container unlabeled or defaced, the employee needs to immediately notify their workplace supervisor. If the supervisor is unable to identify the contents, the supervisor should immediately contact the Environmental Safety Division at (706) 542-5801 for assistance.

EMPLOYEE TRAINING**New Employees and Basic Right to Know Training:**

Prior to starting work, every new UGA employee must receive Phase I Right to Know training. The Phase I Right to Know training is a computer-based module that is part of onboarding process coordinated by the Environmental Safety Division and Human Resources Training and Development. Documentation of the Phase I RTK training is maintained by Human Resources. Phase I Right to Know informs each employee of their rights under the law, additional training requirements under the law, and where to go for additional information concerning the Right to Know Program.

Chemical-Specific Right to Know Training:

Those UGA employees who are exposed to hazardous chemicals during the normal course of their employment must be provided with additional training called Chemical Specific Right to Know Training. The workplace supervisor of such an employee will ensure that Chemical Specific training is provided prior to working with any hazardous chemical and that such training is refreshed annually. In accordance with Board of Regents policy Number 0472-13-027, written documentation of chemical-specific training must be maintained for a minimum of thirty years after separation of the employee from UGA.

Additional Chemical Specific training must be provided prior to the introduction of any new chemical hazard, or if there is a significant increase of an existing hazard in the employee's workplace. The workplace supervisor of the affected employee must ensure that such additional training is provided and documented.

Chemical-Specific Training Content

Training programs should be tailored to the specific nature of each individual workplace and the educational levels of the employees. Chemical Specific training information may relate to an entire class of hazardous chemicals when it is appropriate and related to the job. Chemical Specific training should explain the following per *O.C.G.A Title 45-22 sections 1-12*

- The requirements of the Right to Know Act;
- The location and content of the UGA Right to Know Plan;
- The right of the employee's physician to receive hazardous chemical information;
- The identification of hazardous chemicals present in workplace operations;
- Physical hazards and health effects of the chemicals;
- Methods and observations used to determine the presence or release of the chemicals in the work area, e.g., air sampling, spot check monitoring, continuous monitoring, or methods of visual or olfactory detection;
- How to lessen or prevent exposure to these chemicals by proper work practices and the use of personal protective equipment;

- Labeling requirements, SDS, and how employees can obtain and use appropriate hazard information; and
- Emergency procedures to be followed in the event of exposure, spill, fire or disposal.

Training Format:

All training sessions must include an opportunity for employees to ask questions. Any employee who did not receive Phase I, Phase II, or Chemical Specific Right to Know training prior to initial assignment must do so immediately. Principal Investigators, Laboratory Supervisors and Workplace Supervisors must review and verify that current employees have received all required Right to Know training. The UGA Right to Know Coordinator is available for training consultation and assistance.

EMPLOYEE INFORMATION POSTER

A poster describing employee rights under the Act must be posted in a prominent manner in the workplace where notices are normally posted so that it is visible to all employees on a routine basis. A copy of the poster may be downloaded at <https://esd.uga.edu/sites/default/files/employeeinformationposter.pdf> or by contacting the UGA Right to Know Coordinator (706) 542-5801 for assistance.

INFORMING CONTRACTORS

Any contract with UGA which may involve hazardous chemical exposure to UGA employees must require the independent contractor or subcontractor to:

- Notify the workplace manager at least 30 days prior to commencement of work with any hazardous chemical which will be used or stored at the workplace by the contractor or its sub-contractors. (This 30-day requirement may be waived in the event of an emergency.)

The workplace manager will then:

- disseminate this information to the employees whose workplace is at the work-site;
- obtain SDS from the contractor for those hazardous chemicals and make them readily available to UGA employees during the contractor's presence at the workplace;
- provide documentation to the workplace manager that workplace employees and sub-contractors have been provided with information and training on hazardous chemicals being used by the contractor or its sub-contractors at the workplace; this documentation should include a written Hazard Communication Plan and any additional information necessary to ensure compliance with all rules, codes, standards and regulations governing environmental health and safety.

Any independent contractor or subcontractor working with UGA may request in writing and has the right to examine the SDS for those hazardous chemicals to which he/she or his/her employees are, have been, or may be exposed.

HAZARDOUS CHEMICAL LISTS

The UGA Right to Know Coordinator will compile the hazardous chemical lists for UGA using Chematix and will distribute a copy of the list to the University System of Georgia Right to Know Coordinator semiannually prior to January 31st and June 30th of each reporting year. Copies of these submittals are available for public inspection by request with the University System of Georgia Right to Know Coordinator.

Rev.	Summary of Revisions	Authorized By	Date of Authorization
1.	Version 2.0 Addition of electronic access to SDS and MSDSONline and Update of original RTK plan 1.0. September 2017.	ESD AVP	September 2017
2.	Version 2.1 Addition of definition for the Globally Harmonized System and the 16 informational sections. Inclusion of new definitions	ESD AVP	November 2019
3.	Revise Right to Know Training naming convention to reflect Phase I and Phase II	ESD AVP	November 2019
4.	Added definitions, changed URL for SDS ESD webpage, Central Research Stores to UGA Mart.	ESD	February 2023