

RIGHT TO KNOW FACT SHEET HEALTH HAZARDS OF THE CHEMICALS USED ON THE JOB

Your employer must provide you with the following information:

- * Short and long term health effects upon exposure,
- * Symptoms of exposure (light headedness, drugged feeling, etc.),
- * Ways to minimize exposure (provide ventilation, safe work practices, personal protective equipment such as gloves),
- * The common or trade name of each product,
- * Its chemical ingredients such as hexane,
- * The level of exposure that may be hazardous to you,
- * Flammability and reactivity of the product,
- * What to do in case of fire, spill or medical emergency,
- * Proper chemical waste disposal practice.

Also, you must be informed about the health hazards of gases, dusts and fumes in your work environment, and the proper conditions, work practices and personal protection you may need to minimize your exposure to these agents.

Right to See and Copy Materials Safety Data Sheets (MSDS)

Much of the information your employer must provide about products can be found in Materials Safety Data Sheets or MSDSs. The MSDS is a form developed by the chemical manufacturer of a product that describes the physical and health hazards of that product. Manufacturers by law must provide users of their products with MSDSs. New York City and your agency should receive MSDSs for each product brought.

Your agency must compile a set of MSDSs for every hazardous product you use on the job and make it available to you on site during all work shifts.

Right to Refuse to Work with a Product if the MSDS or other Appropriate Information is not provided within 72 hours

Before MSDSs become available to you on-site, you can request them from your employer in writing. If you do not get the MSDS within 72 hours of your request, you can refuse to work with that product. Your union can also make a right-to-know request on your behalf if you choose to remain anonymous.

Right to be Notified

Your employer must inform you of your rights by posting notices. The Right-To-Know poster identifies the name and telephone number of the person in your agency assigned to respond to questions about Right-To-Know. This person should also be advised of any unsafe work practices or conditions. In addition, your employer must post a notice of your rights and responsibilities under the Public Employees Safety and Health Act (PESH).

Right to Chemical Hazards Training

Your employer must provide an educational program for you about the health hazards of the products in your worksite and ways to protect yourself from these hazards. The program should cover your rights under Right-To-Know, how to use and interpret Material Safety Data Sheets, the hazards of chemicals in your work area, ways to minimize exposure, and the person to contact for more information.

Right-To-Know Training must take place:

- * upon initial employment;
- * annually thereafter;
- * whenever new chemicals are introduced into your work area;
- * when new research finds a chemical to be either more or less hazardous than previously thought.

Right to Work with Properly Labeled Products

Your employer must make sure that all products are labeled and that every label contains:

- * the common name of the product, such as Soda Beads;
- * the identity of the hazardous chemicals in the products;
- * an appropriate health hazard warning: it can be words such as "can cause severe eye burns" or "potential human carcinogen," pictures, or symbols. It must be easily seen on the container;
- * the manufacturer's name and address.

EXCEPTIONS TO THIS RULE:

- * If a worker transfers a chemical into a portable container and uses it immediately, the container need not be labeled.
- * Containers with similar contents and hazards that will not be moved in a work area need not be individually labeled; instead, your employer can post a sign near the containers that conveys the hazard information required.
- * Pipes or piping systems do not have to be labeled. However, training must cover the hazards of the chemicals in the pipes and what to do in the event that the pipes leak or burst.

Your Employer Must Keep Records on Your Exposures

Your agency must keep a list of the names and social security numbers of all employees exposed to 400 specific hazardous chemicals regulated by the Federal Occupational Safety and Health Administration. These records must be kept for 40 years.

Your Employer Must Have a Written Plan which You May See and Copy

Your employer must develop a written hazard communication plan. This includes:

- * a list of all products/chemicals used on site;
- * how products will be labeled;
- * how information will be made readily available to you;
- * a description of the training program;
- * methods the employer will use to inform you of the hazards of tasks not performed routinely.

You have the right to obtain a copy of this written program.

Right to Information Without Discrimination

The law states that when you exercise your rights, you cannot be discriminated against. If you feel you have been discriminated against, you should inform your union, your agency, and/or file a complaint (within 30 days of the violation) with the New York State Labor Department Commissioner or State Attorney General.

PROTECTION FOR WHISTLEBLOWERS

City employees have an affirmative responsibility to promptly report any knowledge or information they might have, relating to corruption or criminal activity occurring in their agency, to the agency's Inspector General at the Department of Investigation (DOI). Additionally City law (New York Administrative Code 12-113) protects employees who "blow the whistle" on corruption, such as fraud, criminal activity or conflicts of interest in City government. This protection is given to any public servant, who is an employee at a mayoral agency, who makes a good faith report of corruption to DOI, or a City Council member, or the Public Advocate, or the Comptroller.

Under the City Whistleblower Law, it is unlawful for an officer or employee of the City to retaliate against anyone who makes a report of corruption by taking "adverse personnel action" against a "whistleblower." Therefore, the "whistleblower" cannot be fired, demoted or disciplined as a result of their having reported corruption to one of the four authorities stated above.

If you think you have been retaliated against because of a report you have made, you should report that fact to DOI. If, after an investigation, DOI determines that you have been subjected to retaliation as a result of a good faith report of corruption, it will recommend appropriate remedial action (such as reinstatement) to your agency head. If your agency does not take appropriate action within a reasonable time period, DOI will report its findings to the Mayor to insure that appropriate remedial action is taken.