



**Commonwealth of Massachusetts
Executive Office of Labor and Workforce Development**

**MASSACHUSETTS RIGHT TO KNOW LAW
and the
GLOBALLY HARMONIZED SYSTEM**

October 2013

Massachusetts Right-to-Know Law



The worker Right-to-Know Law applies to public sector employees working in Massachusetts: people working in state, county or municipal jobs.

- Massachusetts General Law (MGL) Ch. 111F

and

- 454 CMR 21.00

The law is sometimes called “RTK.”





INTENT OF RIGHT TO KNOW

- This law protects employees by providing information on chemical hazards in the workplace.
- Intended to prevent adverse health effects and prevent physical hazards from occurring (such as accidental fires).





Right-to-Know Law

The Right to Know Law requires that employers provide:

- Labels on chemical containers.
- Access to Material Safety Data Sheets.
- Training on these chemicals.
- Workplace RTK poster.





Right to Know vs. Hazard Communication

- Right to Know Law became effective in Massachusetts in 1984.
- In 1988, OSHA published the Hazard Communication standard, applicable to private sector workplaces.
- So in 1988, the Massachusetts worker Right-to-Know Law became applicable to public sector workplaces only. (city, town, county and state workplaces.)





What is GHS?

In 2012, OSHA updated the Hazard Communication standard to be consistent with international label and MSDS formats.





Impact of GHS on RTK

Two things about GHS will affect Right-to-Know:

- New label pictograms
- New Material Safety Data Sheet format.



Impact of GHS on RTK - Labels

Employers must ensure that all chemical products have a label:

- Manufacturers will begin using new GHS labels with pictograms in 2013.
- The labels will “phase-in” to allow manufacturers to sell inventory.
- All labels will have new format by 2015.
- The customer should not change the manufacturer’s labels.

The image shows a GHS label for Benzene with the following components and callouts:

- Name of Chemical:** Benzene
- Barcode:** A barcode is present below the name.
- Precautionary Statement:** The label includes a section for precautionary statements.
- Pictogram:** Three hazard pictograms are shown: a flame (Flammable), an exclamation mark (Irritant), and a person with a star (Health Hazard).
- Hazard Information:** A section containing detailed hazard information, including physical, health, and environmental hazards.
- Note of caution:** A section containing specific safety instructions and warnings.
- Manufacturer or Provider of Chemical company:** The bottom of the label contains the manufacturer's name and contact information.



LABELS

Under the Hazard Communication standard, a container must be labeled with:

- Name of the product
- The health hazard warnings
- The physical hazard warnings

New style Label (GHS)

XYZ... Chemical

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Warning
Flammable liquid and vapor
Harmful if swallowed
May cause damage to organs (liver)
May cause damage to organs through prolonged or repeated exposure (heart)
Suspected of damaging fertility

Keep away from heat, sparks, open flames and hot surfaces. - No smoking. Do not breathe vapors. Obtain special instructions before use. Do not handle until all safety precautions have been read and understood. Use personal protective equipment as required. Wear protective gloves and eye protection. Wash thoroughly after handling. Do not eat, drink or smoke when using this product. Keep container tightly closed. Ground container and receiving equipment. Use explosion-proof electrical, ventilating, lighting equipment. Use only non-sparking tools. Take precautionary measures against static discharge. Store locked up in a well ventilated place. Keep cool. Dispose of contents and container in accordance with local, state and federal regulations.

First aid:
If swallowed: Call a doctor if you feel unwell. Rinse mouth.
If on skin or hair: Remove immediately all contaminated clothing. Rinse skin with water.
If exposed or if you feel unwell: Call a doctor.

Fire:
In case of fire: Use water spray, foam, dry chemical or carbon dioxide (CO₂) for extinction.

GHS Company, 123 Global Drive, Cincinnati, OH Telephone (800) 555-8888

Impact of GHS on RTK - Labels

Smaller secondary containers:

- Sometimes a chemical product will be transferred into another container before it is used. This is called a “secondary container.”
- This container must be labeled.
- In public sector workplaces, a pictogram is optional.
- In private sector workplaces, a pictogram is mandatory.





RTK Labels

Employees, including teachers, may not bring their own chemical products to the workplace without proper labels, Safety Data Sheets, and permission of their employer.





Impact of GHS on RTK - MSDS

Employers must update their MSDS files:

- Manufacturers will begin sending a new Safety Data Sheet whenever you make a new purchase.
- Older MSDS sheets are “grandfathered” until the manufacturer updates the sheet.

When:

- Update your files whenever a manufacturer sends you an updated Safety Data Sheet.
- *Note: It will NOT be a RTK violation to continue to use the word MSDS.*

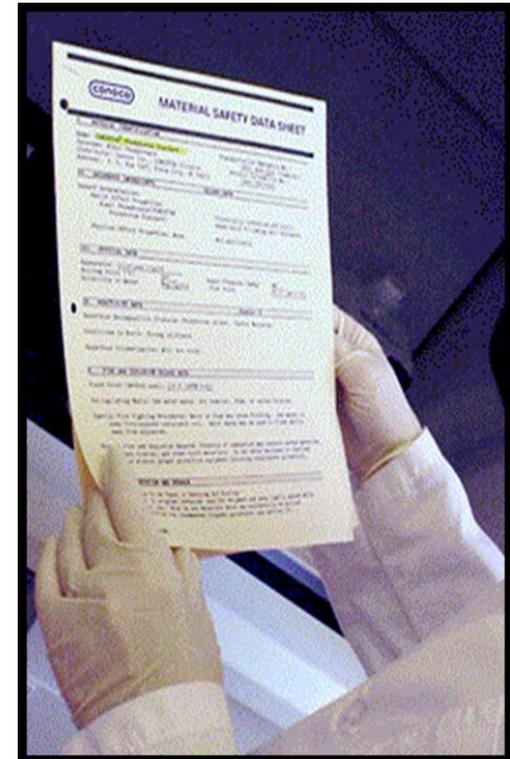




Keeping Safety Data Sheets

Binder/File of Safety Data Sheets

- Table of Contents to make retrieval easier.
- Keep current:
 - When a manufacturer updates the SDS, replace the old SDS with the updated version.
- Accessible to workers during workshift.
 - May be on computer if accessible to workers.
 - Must be a permanent file on the computer, and not rely on an internet search.





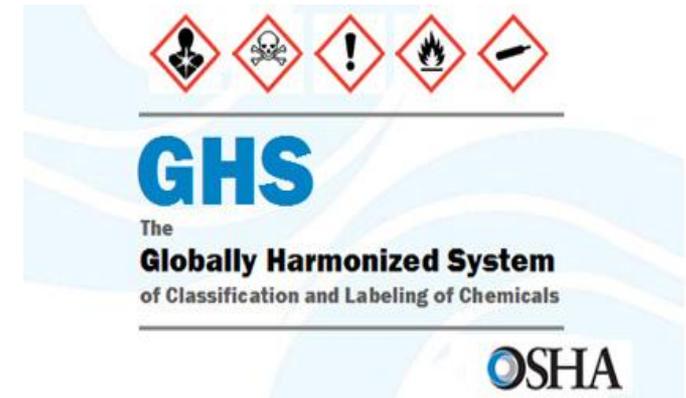
Impact of GHS on RTK - Training

Workers must be trained on:

- New label pictograms
- Material Safety Data Sheet format.

When:

- At new hire; and
- Annually.



- *Note: OSHA does not have an annual training requirement for Hazard Communication. Therefore OSHA has mandated that private sector employers provide updated GHS-HazCom training before Dec 1, 2013. In Massachusetts, public sector workplaces can continue their regular annual schedule.*



RTK has always required:

- Annual and new hire training.
- Training must be done with pay.
- Training must be done during the employees' normal work hours.
- It is typically 1-2 hours long.
- Documentation of date, topic, instructor, and name of employee trained.





WHO CAN CONDUCT THE TRAINING?

- An employee of the workplace may conduct the training as long as the trainer is a competent and knowledgeable person.
- If training is provided by a 3rd party, he or she must be registered as a third party Right to Know instructor with the MA Department of Labor Standards. See www.mass.gov/dols/wshp for list.





RTK Training

Tell workers if products could cause health effects, and work practices and protective equipment used to protect themselves, including:

- Asthma
- Cancer
- Lead poisoning
- Rash
- Kidney or liver damage
- Lung damage
- Nerve damage



RTK Training

Tell workers if products could cause physical effects, and how to protect themselves, including:

- Fire
- Corrosion
- Pressure release



RTK Training

Tell workers how to protect themselves:

Work Practices

- Ventilation
- Closed containers
- Standard procedures



Protective Equipment

- Gloves
- Goggles
- Respirator



First Aid

- Emergency Eyewash





GHS Pictograms and Hazards

Health Hazards

- Carcinogen
- Mutagenicity
- Reproductive Toxicity
- Respiratory Sensitizer
- Target Organ Toxicity
- Aspiration Toxicity



This label warns that product is toxic and that gloves, goggles or respirator may be required, depending upon your task.



GHS Pictograms and Hazards

Flame

- Flammables
- Pyrophorics
- Self-Heating
- Emits Flammable Gas
- Self-Reactives
- Organic Peroxides



This label warns that the product can cause a fire.



GHS Pictograms and Hazards

Exclamation Mark

- Irritant (skin and eye)
- Skin Sensitizer
- Acute Toxicity
- Narcotic Effects
- Respiratory Tract Irritant

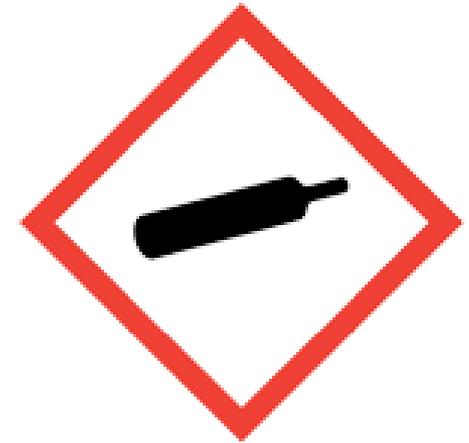




GHS Pictograms and Hazards

Gas Cylinder

– Gases Under Pressure

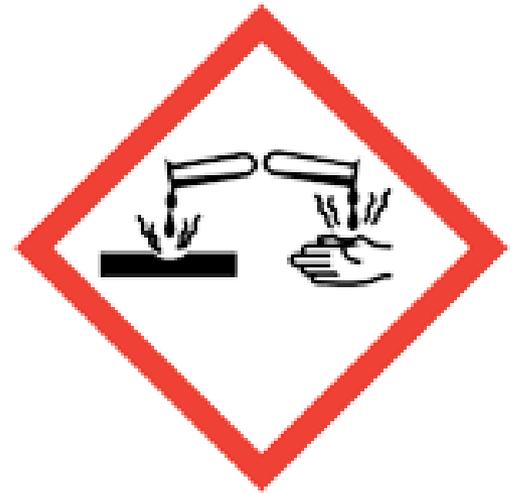




GHS Pictograms and Hazards

Corrosion

- Skin Corrosion/Burns
- Eye Damage
- Corrosive to Metals





GHS Pictograms and Hazards

Exploding Bomb

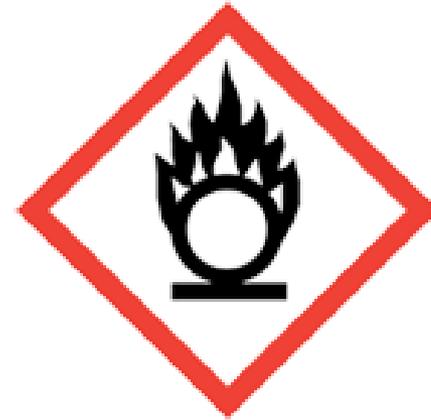
- **Explosives**
 - **Self-Reactives**
 - **Organic Peroxides**
- *This product is sensitive and could explode under certain conditions.*





GHS Pictograms and Hazards

Flame Over Circle – Oxidizers



This product can increase the intensity of a fire.



GHS Pictograms and Hazards

Skull and Crossbones

- Acute Toxicity (fatal or toxic)

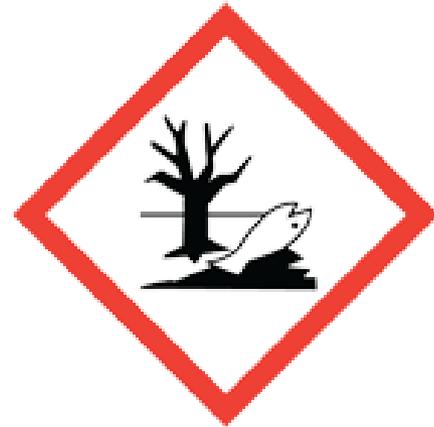




GHS Pictograms and Hazards

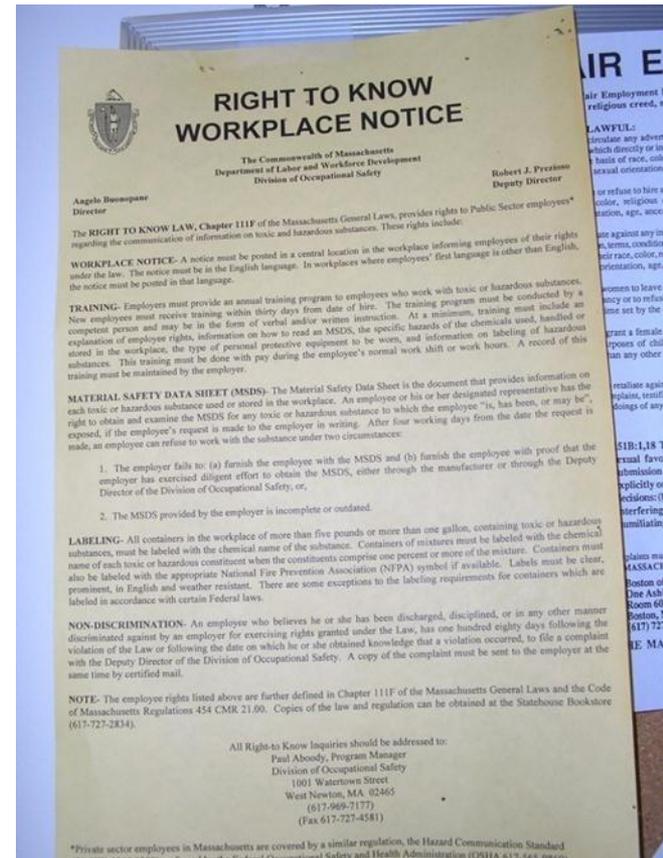
Environment

– Aquatic Toxicity



RTK WORKPLACE NOTICE

- A Right to Know Workplace Notice for Public Employees must be posted in a central location at all Massachusetts public sector workplaces covered by this law.
- The notice can be downloaded free from the DLS website: www.mass.gov/dols/wshp





RTK NON-DISCRIMINATION

- An employee has the right not to be discriminated against for exercising his or her rights under the law.
- An employee who believes he or she has been discharged, disciplined or discriminated against for exercising rights may (within 180 days) file a complaint with the Director of the Department of Labor Standards.
- Private sector employees should contact OSHA.
- Massachusetts public sector employees can contact the Department of Labor Standards
 - Phone: 508-616-0461
 - Email: [safepublicworkplace @ state.ma.us](mailto:safepublicworkplace@state.ma.us)



HELPFUL DOCUMENTS



The documents below are available at www.mass.gov/dols/wshp

- **Right to Know poster**
- **Understanding MSDSs:**
A document that explains the terms on an MSDS
- **List of third party Right to Know instructors currently registered with DLS.**
- **Training outline**