Office of Human Resources

Angelo State University

TEXAS HAZARD COMMUNICATION ACT OF 1985

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.

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. Employees have rights to:
   a. access copies of SDSs (or an MSDS if an SDS is not available yet)
   b. information on their chemical exposures
   c. receive training on chemical hazards
   d. receive appropriate protective equipment
   e. file complaints, assist inspectors, or testify against their employer
7. 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 Division for Regulatory Services
Policy, Standards, & Quality Assurance Unit Environmental Hazards Group
PO Box 149347, MC 1987
Austin, TX 78714-9347
(800) 452-2791
(512) 834-6787
Fax: (512) 834-6726
TXHazComHelp@dshs.texas.gov