

TEXAS HAZARD COMMUNICATION ACT OF 1985

The Texas Hazard Communication Act of 1985, Texas Civil Statutes, Article 5182b, requires certain employers to:

Provide employees, local fire departments, the Texas Department of Health and other interested persons with specific information on the hazards of chemicals in use. As required by law, your employer must provide you with certain information and training, starting January 1, 1986. A brief summary of the law follows:

1. Employers must develop a list of hazardous chemicals used or stored in the workplace, each in excess of 55 gallons or 500 pounds. Smaller quantities may be reported. This list shall be updated by the employer as necessary, but to the general public on request.
2. Employees who may be exposed to hazardous chemicals shall be informed of the exposure by the employer and shall have ready access to the workplace chemical list and to the most current material safety data sheets, which detail physical and health hazards and other pertinent information. The list must state which chemicals are present in each work area.
3. Employees shall receive training by the employer on the hazards of the chemicals and on measures they can take to protect themselves from those hazards, and shall be provided with appropriate personal protective equipment. This training shall be provided at least annually and must be reported by the non-manufacturing employer to the Texas Department of Health within 30 days of completion.
4. 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.
5. Employers must provide the names and telephone numbers of knowledgeable company representatives to the local fire department, as well as other information if the fire department requests it.
6. The following chemicals are exempted from coverage by this act: articles that do not normally release hazardous chemicals, food, cosmetics, pesticides for use (but not pesticide formulation), hazardous waste and some other materials. Most of these are covered by other acts. Manufacturers are exempt from some provisions of the State law since they are covered under similar rules adopted by the Federal Occupational Safety and Health Administration (OSHA).
7. Employees may file complaints with the Texas Department of Health, and may not be discharged or discriminated against in any manner for the exercise of any rights provided by this act. Employees and citizens may make written requests to the Texas Department of Health to require listing of small quantities of certain highly hazardous chemicals.

Employers may be subject to administrative penalties and civil or criminal fines ranging from \$500 to \$25,000 for violations of this Act.

Further information may be obtained from:

Occupational Health Program
Texas Department of Health
1100 West 49th Street
Austin, Texas 78756
Phone: (512) 458-7410