



## What We Have Here is a Failure to Communicate (in the Workplace)

05.19.2016

For the third consecutive year, OSHA's second most cited violation was for failure to comply with the Hazard Communication Standard (HCS). The HCS was promulgated in 1983 and requires chemical manufacturers and importers to classify the hazards of chemicals they produce or import. It also requires employers to provide information to their workers about the hazardous chemicals to which they are exposed. Although not complicated, the HCS is often overlooked, which is why employers are cited regularly.

Employers who do not produce or import chemicals need focus only on those parts of the HCS that deal with establishing a workplace program and communicating information to their workers. For example, employers are required to have safety data sheets (SDS) for each hazardous chemical used in the workplace and make them available to their employees. Hazardous chemicals include any substance that presents a physical or health hazard. The amount or concentration of a particular chemical is irrelevant so long as it poses a risk to employees.

In addition to SDSs, employers must provide information and training to employees about hazardous chemicals in their work area at the time of initial assignment. Such information includes a written hazard communication program that describes labels, SDSs, operations where the chemical is present, and mitigation measures, including personal protective equipment and emergency procedures.

Over the last few years, the HCS has been a favorite target of OSHA compliance inspectors, and there is no indication that will abate anytime soon. Thus, employers should review their written program to verify it's up-to-date. It's also important that they review their SDSs to confirm they have one for each chemical used in the workplace and to confirm no changes in chemical composition or hazards presented have occurred. Employers should also confirm that all employees have been adequately trained. A failure to communicate may expose your company to liability unnecessarily.

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