

407 Employee Right To Know – Exposure To Hazardous Substances

Adopted: March 2005

Revised: 4/2009, 8/2013, 12/20/2022

Last review:

1 **Purpose**

2 The purpose of this policy is to provide Minnesota Online High School (MNOHS) employees a place of
3 employment and conditions of employment free from recognized hazards that are likely to cause death or
4 serious injury or harm.

5 **Policy**

6 It is the policy of MNOHS to provide information and training to employees who may be routinely
7 exposed to a hazardous substance, harmful physical agent or infectious agent.

8 **Definitions**

- 9 A. “Commissioner” means the Commissioner of Labor and Industry or a duly designated
10 representative.
- 11 B. “Routinely exposed” means that there is a reasonable potential for exposure during the normal
12 course of assigned work or when an employee is assigned to work in an area where a hazardous
13 substance has been spilled.
- 14 C. “Hazardous substance” means a chemical or substance, or mixture of chemicals and substances,
15 which:
- 16 1. is regulated by the Federal Occupational Safety and Health Administration under the Code
17 of Federal Regulations; or
 - 18 2. is either toxic or highly toxic; an irritant; corrosive; a strong oxidizer; a strong sensitizer;
19 combustible; either flammable or extremely flammable; dangerously reactive; pyrophoric;
20 pressure-generating; compressed gas; carcinogen; teratogen; mutagen; reproductive toxic
21 agent; or that otherwise, according to generally accepted documented medical or scientific
22 evidence, may cause substantial acute or chronic personal injury or illness during or as a
23 direct result of any customary or reasonably foreseeable accidental or intentional exposure
24 to the chemical or substance; or

25 3. is determined by the commissioner as a part of the standard for the chemical or substance
26 or mixture of chemicals and substances to present a significant risk to worker health and
27 safety or imminent danger of death or serious physical harm to an employee as a result of
28 foreseeable use, handling, accidental spill, exposure, or contamination.

29 D. “Harmful physical agent” means a physical agent determined by the commissioner as a part of the
30 standard for that agent to present a significant risk to worker health or safety or imminent danger
31 of death or serious physical harm to an employee. This definition includes but is not limited to
32 radiation, whether ionizing or nonionizing.

33 E. “Infectious agent” means a communicable bacterium, rickettsia, parasites, virus, or fungus
34 determined by the commissioner by rule, with approval of the commissioner of health, which
35 according to documented medical or scientific evidence causes substantial acute or chronic illness
36 or permanent disability as a foreseeable and direct result of any routine exposure to the infectious
37 agent. Infectious agent does not include an agent in or on the body of a patient before diagnosis.

38 F. “Blood borne pathogens” means pathogenic microorganisms that are present in human blood and
39 can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus
40 (HBV) and human immunodeficiency virus (HIV).

41 **Training**

42 Training will be provided to MNOHS employees before beginning a job assignment as follows:

43 A. Any newly-hired employee assigned to a work area where they are determined to be routinely
44 exposed under the guidelines above.

45 B. Any employee reassigned to a work area where they are determined to be routinely exposed under
46 the above guidelines.

47 **Legal References:** Minn. Stat. Ch. 182.653, Subd. 2 (Occupational Safety and Health)

48 Minn Stat. Ch. 144.7401 (Department of Health)

49 Minn. Rules Ch. 5205 (Safety and Health Standards)

50 Minn. Rules Ch. 5206 (Employee Right to Know Standards)

51 29 C.F.R. § 1910.1050, App. B (Substance Technical Guidelines)