

Minnesota Employee Right-to-Know Program for AccuKare, Inc.**General Company Policy:**

The purpose of this policy is to inform the employee that our company is complying with the Minnesota OSHA Employee Right-to-Know (ERTK) Standard by compiling a hazardous chemicals list, by using material safety data sheets (MSDS), by ensuring that containers are labeled, and by providing the employee with training. Information on harmful physical agents and infectious agents is included in this training. The MN OSHA ERTK Standard/Act's intent is to ensure that employees are aware of the dangers associated with hazards that they may be exposed to in their workplaces.

This program applies to all work operations in our company where employees may be exposed to hazardous substances, harmful physical agents, or infectious agents under normal working conditions or during an emergency.

The President of AccuKare, Inc., Karla R. Adams, RN, in conjunction with the supervising RN's, is the program coordinator and has overall responsibility for the program. Karla R. Adams, RN will review and update the program, as necessary. Employees may obtain copies of the written program from Karla R. Adams, RN.

Under this program, employees will be informed of the content of the MN OSHA ERTK Standard, the hazardous properties of the chemicals with which they work, safe handling procedures, and measures to take to protect themselves from these chemicals. They will also be informed of the hazards associated with non-routine tasks.

I. Hazardous Chemicals

A. A hazardous substance is defined as a chemical or substance, or mixture of substances which:

1. Is regulated by federal OSHA under 29 CFR 1910, subpart Z.
2. May cause substantial acute (short term) or chronic (long-term) personal injury or illness during or as a direct result of any customary or reasonably foreseeable accidental or intentional exposure (according to generally accepted documented medical or scientific evidence).
3. Is determined by the commissioner in the standard to present a significant risk to worker health and safety or imminent danger of death or serious physical harm as a result of foreseeable use, handling, accidental spill, exposure, or contamination.

B. Karla R. Adams, RN will make a list of known hazardous substances and related work practices in the work setting and will update the list as necessary.

1. The list of chemicals identifies all of the chemicals used in work settings. A separate list is available for each individual work setting.
2. Each list also identifies the corresponding MSDS for each chemical. The list and the MSDS are located in the client book in each home.

3. AccuKare, Inc. maintains a master list of the chemicals that are used in work settings. This list is available at the main office.

4. Substances exempt from this list include:

- a. Items that are intended for personal consumption by the employees in the workplace.
- b. Consumer products packaged for distribution to, and used by, the public, if used by employees in the workplace in the same form, concentration, frequency, and manner as would the public.
- c. Any article, including equipment or hardware, which contains a hazardous substance in solid form which does not create a health hazard as a result of being handled by the employee.
- d. Any substance that is bound and not released under normal conditions or work in reasonably foreseeable occurrence resulting from workplace operations.
- e. Any substance received by the employer in a sealed package and subsequently sold or transferred in that package, if the seal remains intact while in the employer's workplace.
- f. "Liquor" as defined in MN Statutes.
- g. Foods as defined in the federal Food, Drug, and Cosmetic Act.

C. Examples of hazardous substances include, but are not limited to: cleaning chemicals, gasoline and other petroleum products, gases, vehicle exhaust, and any processing chemicals.

D. MSDS's provide you with specific information on the chemicals you use. Karla R. Adams, RN will maintain a binder in the main office with a MSDS on every substance on the list of hazardous chemical identified in the agency and not on the exempt list. The MSDS will be a fully completed OSHA Form 174 or equivalent. There will be MSDS's specific to each site in the "Client Book" at that site. Karla R. Adams, RN is responsible for acquiring and updating MSDS's. She will contact the chemical manufacturer or vendor if additional research is necessary or if any MSDS has not been supplied with an initial shipment. Karla R. Adams, RN, must clear all new procurements for the company.

II. Harmful Physical Agents

A. There are four harmful physical agents subject to coverage under the MN OSHA ERTK Act, and they are as follows: NOTE: not all four of these are present in AccuKare, Inc.

1. Noise- ERTK requirements apply where employee exposure is general industry approximates or exceeds the OSHA "Action Level " of 85 Decibels as an average over an 8 hour work shift as set forth in 29 CFR 1910.95. This is not present at AccuKare, Inc.
2. Heat – ERTK requirements apply where employee exposure in general industry approximates or exceeds the WBGT limit set forth in MN Rules 5205.0110. *This is not intended to be present at AccuKare, Inc., but an employee may be outside or in a warm home with a client, hence training on heat stress will be provided.*

3. Ionizing Radiation – ERTK requirement supply where employee exposure in general industry approximates or exceeds the limit set forth in 29 CFR 1910.1096. *This is not present at AccuKare, Inc.*
 4. Non-Ionizing Radiation – ERTK requirements apply where employee exposure in general industry approximates or exceeds the limit set forth in 29 CFR 1910.97. *This is not present at AccuKare, Inc.*
- B. Karla R. Adams, RN will make a list of harmful physical agents when present in the workplace and where workers may be exposed to the agent through equipment use, product handling, or otherwise.
 - C. Karla R. Adams, RN is responsible for acquiring a physical agent fact sheet (PAFS) or comparable written information on the identified harmful physical agents to which employees may be exposed in the course of assigned work. The PAFS or other written information will be maintained in a binder in the main office of AccuKare, Inc. and in the “Client Book” at the client home. Karla R. Adams, RN is responsible for acquiring and updating PAFSs.

III. Infectious Agents

- A. The MN OSHA ERTK Act covers certain infectious agents, including various bacterial, viral, fungal, parasitic, and rickettsial agents.
- B. Karla R. Adams, RN will conduct a survey and make a list of infectious agents that workers may encounter in the course of assigned work. For further information, see the written Exposure Control Plan for the agency, which meets the requirements set forth in 29 CFR 1910.1030 and covers all infectious agents, both blood borne transmitted and those transmitted by other routes. The book “Control of Communicable Diseases Manual” will be available to any employee through the main office of AccuKare, Inc. during business hours.
- C. The Exposure Control Plan relating to the control of infectious disease hazards is part of the ERTK requirements and is available in the clients’ homes and in the main office of AccuKare, Inc.

IV. Labels and other Forms of Warning

- A. Karla R. Adams, RN along with the supervising RNs will ensure that all hazardous chemicals in the client’s home that the agency is aware of are properly labeled and updated as necessary.
- B. Manufacturer’s container labels should list at least the chemical identity, the appropriate hazard warning and the name and address of the manufacturer, importer or other responsible party. The main bottle of concentrated sanitizer/cleaner will remain at AccuKare, Inc. that has this information on it. *The hand sanitizer is in the manufacturer’s bottle and will have this information on it.*
- C. If the chemical is transferred from a manufacturer’s container to another container, the “other” container must have a label which at least identifies the chemical identity and any appropriate hazard warning if, the container will be under the control of more than one employee or, if the

contents will remain in the 'other' container for more than one shift. *This ruling applies to the sanitizer that Karla R. Adams, RN will place in spray bottles at the main office of AccuKare, Inc and then place in the clients' homes.*

- D. Immediate use containers, which are containers of hazardous substances which will remain under the control of one employee and which will not remain for more than one shift, need not be labeled. *This does not apply to anything at AccuKare, Inc.*
- E. Pipes or piping systems do not have to be labeled but their contents will be described in the training session. *This does not apply to anything at AccuKare, Inc.*
- F. Karla R. Adams, RN will ensure that equipment or work areas that specifically generate harmful physical agents at a level which may be expected to approximate or exceed the permissible exposure limit or applicable action level, be labeled with the name of the physical agent and the appropriate hazard warning. *This does not apply to anything at AccuKare, Inc.*
- G. The Exposure Control Plan for the agency addresses the labeling procedures or color-coding for receptacles or bags containing potentially infectious material (i.e. laundry bags and garbage bags). *A sample label is on the last page of this document for review.*

V. Training

- A. Once the employer has identified the hazardous substances, harmful physical agents, and infectious agents in the survey and has acquired the hazard information on the individually identified items, the employer must use the acquired information to train employees per Right-to-Know Act requirements.
- B. Everyone who works with or is potentially exposed to hazardous chemical, harmful physical agents or infectious agents will receive initial training on the Employee Right to Know Standard and the safe use of those chemicals or agents. This program has been prepared for this purpose.
- C. Karla R. Adams, RN is responsible for ensuring that this training is provided and that it is provided verbally as well as with written material.
- D. Training must be conducted:
 - 1. Before an employee's initial assignments where they may be routinely exposed.
 - 2. When new or additional hazardous substances or agents are introduced into the workplace. Affected employees must be trained before their working with or in the presence of them.
- E. Training must be updated annually. Annual update training may be brief summaries of information included in initial and /or previous sessions.
- F. Training must be made available by, and at the cost of, the employer. If employees are required to attend training at times other than their normal working schedule, they must be compensated for working that time (either via overtime, equivalent time off, etc.).

- G. Training must be in English or a language understood by employees.
- H. Training must be provided to affected temporary and seasonal employees.
- I. For hazardous substances, the following must be included in the employee training program:
 - 1. A summary of the MN OSHA ERTK standard and AccuKare, Inc.'s written Right-to-Know plan (this document).
 - 2. Specific information from the MSDS of each of the hazardous substances the employee may be exposed to including:
 - a. The name or names of hazardous substances, including any generic or chemical name, trade name, and commonly used name (see MSDS Sec. I and II).
 - b. The Permissible Exposure Limit set by OSHA or recommended limit where no OSHA limit exists (see MSDS Sec. III).
 - c. Primary routes of entry into the body, and acute and chronic effects of exposure at hazardous levels (see MSDS Sec. IV).
 - d. Known symptoms (see MSDS Sec. VI).
 - e. A potential for flammability, explosion or reactivity of the hazardous substance (see MSDS Sec. IV and V).
 - f. Appropriate emergency treatment (see MSDS Sec. VI).
 - g. Know proper condition of use and exposure to the hazardous substance (See MSDS Sec. VIII).
 - h. Procedures for cleanup of leaks and spills (see MSDS Sec. VII).
 - i. The name, phone number, and address of the manufacturer of the hazardous substance (see MSDS Sec. I).
 - j. Where the MSDS, or comparable written information, is located in the work setting. *MSDS are located in the client homes in the "Client Book" and in the main office of AccuKare, Inc.*
- J. For Harmful Physical Agents (if applicable), the following must be included in the employee-training program. *Note: AccuKare, Inc. does not have any known Harmful Physical Agents, but will provide training on heat stress due to the nature of the work employees must occasionally perform outside if a client chooses to go outside.*
 - 1. The name or names of the harmful physical agent, including any commonly used synonym.
 - 2. The level at which exposure to the physical agent has been restricted.

3. Known acute and chronic effects of exposure at hazardous levels.
4. Known symptoms.
5. Appropriate emergency treatments.
6. Known proper conditions for exposure to the physical agent
7. The name, phone number, and address of the manufacturer of the equipment that produces the physical agent, if applicable.
8. Where the PAFS, or comparable written information is in the work setting. *PAFS for Heat Stress is located in the Client Book in the client homes and in the main office of AccuKare, Inc.*

K. Infectious Agents—Where employees have been identified as being at risk of encountering infectious agents in their work assignment, the employer must provide training on each of the infectious agents. A recent change in the Right-to-Know Act states that if the training program covers all infectious agents and includes the training topics required in the OSHA Bloodborne Pathogen standard 29 CFR 1910.1030, then the employer will have met the Right-to-Know training requirements for infectious agents. *Therefore, the training for this piece has been met by the employee's completion of the Bloodborne Pathogens training.*

M. Records of training. The records of training will be maintained for three (3) years at the main office of AccuKare, Inc. and will include:

1. Dates of Training.
2. Name, title, and qualifications of person who conducted the training.
3. Names and job titles of employees who completed the training.
4. A brief summary or outline of the information that was included in the training session.

VI. Non-Routine Tasks

- A. When an employee is required to perform hazardous non-routine tasks (as determined by Karla R. Adams, RN in conjunction with the supervising RN), a special training session will be conducted by either Karla R. Adams, RN or the supervising RN regarding the hazard to which the employee might be exposed and the proper precautions to take to reduce or avoid exposure. MSDS's will be available on the hazardous chemical utilized. Karla R. Adams, RN is responsible for ensuring that this training is provided.
- B. All employees need to report to AccuKare, Inc. if they encounter something that they have a concern about in order that it may be evaluated and acted upon appropriately.