

Lesson learned: hazard communication matters

The goal of chemical Right To Know and Hazard Communication laws is to ensure that employees and employers know the identities and hazards of chemicals in their workplaces. When employees and employers have such information, it can be used to design and implement appropriate protective measures to reduce the incidence of adverse health effects.

Toxicity data is easy to get

First, seek information from your employer. All hazardous substances must be accompanied by toxicity information in a Material Safety Data Sheet (MSDS). Employers must keep the MSDS and make them readily available to employees at all times.

If necessary, seek information directly from the manufacturer by calling them or checking their web site. Often an MSDS can be located by searching on the name of the product.

The Internet contains a wealth of toxicity information. Useful sites include:

International Chemical Safety Cards (ICSCs) summarize essential health and safety information on thousands of chemicals. Available in seventeen languages at: www.cdc.gov/niosh/ipcs/icstart.html. English can be found at www.cdc.gov/niosh/ipcs/nicstart.html.

The State of New Jersey has prepared Hazardous Substance Fact Sheets for thousands of chemicals. Many are also available in Spanish. For information: www.state.nj.us/health/eoh/rtkweb/rtkhsfs.htm or by calling 609-984-2202.

The National Institute for Occupational Safety and Health (NIOSH) maintains links to many toxicity resources at: www.cdc.gov/niosh/topics/chemical-safety

Gym floor toxicity data spurs MRTA victory

Decisive action by the Matawan Regional Teachers Association (MRTA) helped prevent potential health problems for staff and students. MRTA learned that a contractor was preparing to pour a polyurethane gym floor in the new gymnasium while school was in session at Matawan Aberdeen Middle School. Knowing that a considerable amount of floor area would be coated and a large amount of solvent would quickly evaporate, suspicions of air quality problems ran high. MRTA was concerned about potential health hazards for staff and students.

MRTA President Carl Kosmyna immediately requested information on the hazards of the products that were going to be used. Both the manufacturers' Material Safety Data Sheets (MSDS) and the New Jersey Department of Health and Senior Services Hazardous Substance Fact Sheets (HSFS) were obtained and reviewed by MRTA Vice President Marshall Gorman and building reps at Matawan Aberdeen Middle School.

Prioritize these poisons

Pay special attention to these categories of chemical products:

- Used in large quantities
- Used in a way that they evaporate quickly
- Used while school is in session
- Contain very toxic ingredients

Distressed that the products could cause headaches, nausea, shortness of breath, and sore throats, MRTA was further alarmed that the products contained mutagens and teratogens. These substances may cause reproductive problems and birth defects in a developing fetus. In addition, the flooring product contained Diphenylmethane Diisocyanate (MDI), a chemical that may cause asthma attacks, lung damage, and permanent respiratory sensitization.

Kosmyna quickly convened a meeting with district administrators, construction supervisors, MRTA officers and building reps, and Industrial Hygienist Adrienne Markowitz of the New Jersey Work Environment Council (WEC), a frequent NJEA partner.

Markowitz said, "We made it known we were very concerned when we saw that some of the substances in the products were mutagens and teratogens. There were four teachers in the school we knew were pregnant, and we wondered if there were others we



MRTA Vice President Marshall Gorman, MRTA building reps Marge DeBeVoise and Mary McFadden, and MRTA President Carl Kosmyna put the safety of members and students ahead of arbitrary construction schedules.

didn't know about, or others who didn't even know that they were pregnant."

MRTA President Kosmyna recalled, "We made it very clear that we would not allow staff or students to be exposed to these terribly toxic chemicals. We let the administration know that parents would also be concerned if we were forced to go public with our concerns."

Due to the local association's vigilance, and despite pressure to finish the work sooner, the floor installation was performed over a weekend. The area was effectively sealed off and ventilated. The work was completed without any exposure to students or MRTA members.

Installation of poured flooring is typically scheduled when school is not in session. However, due to the pace of construction and problems mitigating some fire-damaged areas, the work had to be completed during the school year.

Matawan Aberdeen Regional School District conducted a major building program over the last two years, with the most extensive work being done at the Matawan Aberdeen Middle School. This building underwent a \$15.6 million renovation and building expansion that was further complicated by a Labor Day 2004 building fire. All renovation work was conducted while the school was in regular session.

Right To Know laws are on our side

One federal and three New Jersey state regulations apply to different aspects of the gym floor incident. Work with your UniServ field rep and the Public Employees Occupational Safety and Health (PEOSH) Program if you have questions about how these laws apply to chemical exposure situations you may face. PEOSH can be reached at 609-984-1863.

New Jersey Worker and Community RTK Law, N.J.A.C. 8:59-7.2 (j)

Requires public employers to supply hazardous substance fact sheets (HSFS) and material safety data sheets (MSDS) to public employees and their representatives for all hazardous substances brought into a public employer's facility, including surrounding land, by a public or private subcontractor. www.state.nj.us/health/eoh/rtkweb/rtkregs.pdf

PEOSH Hazard Communication (Haz Com) Standard, N.J.A.C. 12:100-7.2 (d) 2.

Requires public employers to make sure that copies of the MSDS for hazardous chemicals are readily accessible to public employees during each work shift while they are in their respective work areas. <http://nj.gov/health/eoh/peoshweb/hcsguide.doc>

OSHA Hazard Communication Standard 29 CFR 1910.1200 (e)(2)

Requires private sector employers, such as contractors, to describe in detail in a written Hazard Communication Program how employees, such as school employees, will be protected from hazardous substances brought into workplaces, such as schools, by those contractors. www.osha.gov/SLTC/hazardcommunications/index.html

PEOSH Indoor Air Quality Standard, N.J.A.C. 12:100-13.5 (c)

Requires public employers to notify their employees at least 24 hours in advance, or promptly in an emergency situation, of work to be performed on the building that may introduce air contaminants into their work area. www.state.nj.us/health/eoh/peoshweb/iaqstd.pdf