

## Personnel

### Employee Right to Know – Exposure to Hazardous Substances

#### I. Purpose

This policy states the school district's commitment to provide district employees with appropriate training to minimize risk associated with recognized hazards that are likely to cause death or serious injury or harm.

#### II. General Statement of Policy

The district provides information and training to employees who may be routinely exposed to a hazardous substance, harmful physical agent, infectious agent, or blood borne pathogen.

#### III. Definitions

For purposes of this policy, the definitions included in this section apply.

- A. "Commissioner" means the Minnesota Commissioner of Labor and Industry.
- B. "Routinely exposed" means that there is a reasonable potential for exposure during the normal course of assigned work, or when an employee is assigned to work in an area where a hazardous substance has been spilled.
- C. "Hazardous substance" means a chemical or substance, or mixture of chemicals and substances, which:
  - 1. Is regulated by the Federal Occupational Safety and Health Administration under the Code of Federal Regulations; or
  - 2. Is either toxic or highly toxic; an irritant; corrosive; a strong oxidizer; a strong sensitizer; combustible; either flammable or extremely flammable; dangerously reactive; pyrophoric; pressure-generating; compressed gas; carcinogen; teratogen; mutagen; reproductive toxic agent; or that otherwise, according to generally accepted documented medical or scientific evidence, may cause substantial acute or chronic personal injury or illness during or as a direct result of any customary or reasonably foreseeable accidental or intentional exposure to the chemical or substance; or
  - 3. Is determined by the commissioner as a part of the standard for the chemical or substance or mixture of chemicals and substances to present a significant risk to worker health and safety or imminent danger of death or serious physical harm to an employee as a result of foreseeable use,

handling, accidental spill, exposure, or contamination.

- D. "Harmful physical agent" means a physical agent determined by the commissioner as a part of the standard for that agent to present a significant risk to worker health or safety or imminent danger of death or serious physical harm to an employee. This definition includes but is not limited to radiation, whether ionizing or nonionizing.
- E. "Infectious agent" means a communicable bacterium, rickettsia, parasites, virus, or fungus determined by the commissioner by rule, with approval of the commissioner of health, which according to documented medical or scientific evidence causes substantial acute or chronic illness or permanent disability as a foreseeable and direct result of any routine exposure to the infectious agent. Infectious agent does not include an agent in or on the body of a patient before diagnosis.
- F. "Blood borne pathogens" means a pathogenic microorganism that is present in human blood and can cause disease in humans. This definition includes, but is not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

#### IV. Target Job Categories

Annual training will be provided to all employees who are routinely exposed to a hazardous substance, harmful physical agent, blood borne pathogen, or infectious agent as defined above.

#### V. Training Schedule

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

- A. A newly-hired employee assigned to a work area where the employee is determined to be routinely exposed to a hazardous substance, harmful physical agent, blood borne pathogen, or infectious agent as defined above.
- B. An employee reassigned to a work area where the employee is determined to be routinely exposed to a hazardous substance, harmful physical agent, blood borne pathogen, or infectious agent as defined above.

#### Legal References:

29 C.F.R. § 1910.1050, App. B (Substance Technical Guidelines, MDA)  
Minn. Stat. Ch. 182 (Occupational Safety and Health)  
Minn. Rules Ch. 5205 (Occupational Safety and Health Standards)  
Minn. Rules Ch. 5206 (Hazardous Substances; Employee Right-to-Know)

Policy  
adopted: 9/22/08  
revised: 05/28/13

INDEPENDENT SCHOOL DISTRICT NO. 273  
Edina, Minnesota

revised: 06/13/16  
revised: 10/12/20  
revised: 05/13/24