

Jackson County Developmental Achievement Center

Minnesota Employee Right-to-Know Program

Purpose

The purpose of this program is to inform employees the Jackson County DAC complies with the Minnesota Employee Right-to-Know act by providing employees with information and training about the dangers they may be exposed to in their work environment. This program applies to all work areas of the Jackson County DAC.

Training

Every employee will receive training about the Employee Right-to-Know act during orientation and annually thereafter.

The Right-to-Know training will include:

- A summary of the standard and this written plan.
- A summary of the Jackson County DAC's AWAIR program.
- Types of hazards in the workplace.
- The location of the Material Safety Data Sheets (MSDS).
- Instruction about how to read and interpret the information of labels and MSD Sheets.
- Procedures to protect against hazards including use and maintenance of personal protective equipment and emergency response plans.
- Techniques to avoid self-contamination and recommended immunization practices.
- Procedures to follow to assure protection when cleaning up incidental spills.
- A summary of blood borne pathogens and the exposure control plan.

Records of training will be kept a minimum of five years.

Summary of Minnesota Right-to-Know Act

History

- The Employee Right-to-Know Act (MERTKA) was passed by the Minnesota Legislature during the 1983 session and is enforced as part of the Occupational Safety and Health program in the Department of Labor and Industry.
- MERTKA is intended to ensure employees are made aware of hazardous materials, harmful physical agents, and infectious agents they might be exposed to in their workplace.

Who the Law Applies To

- All places of employment in Minnesota except those under exclusive jurisdiction of the federal government.

Employee Rights

- To receive information on hazardous substance, harmful physical agents or infectious agents to which they may be exposed.
- To receive training on applicable laws, the above hazards and control of the hazards.
- To refuse work if assigned to work in an unsafe or unhealthful manner with a hazardous substance, harmful physical agent or infectious agent. The right to refuse work is a conditional right – conditional on the employee giving the employer a written request to correct the

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hazardous condition and on the employer not making a reasonable attempt to correct the condition.

- If the employer does not correct an unsafe or unhealthy work situation within a reasonable amount of time, the employee or authorized employee representative may request an inspection by the University Department of Environmental Health and Safety or a MN Occupational Safety and Health Administration (OSHA) inspection of the workplace.

Employer Rights

- To assign employees to alternative jobs until hazardous conditions can be eliminated or until proper training has been provided.
- To request a signed statement from employees verifying the training was received.
- Protection of trade secrets.

Employer Responsibilities

- Discuss the problem with the Program Director, Safety Committee, and personnel.
- Determine a course of action such as: correction of the hazardous condition, provide appropriate training, or reassign the person to another area until the hazard is properly evaluated.
- Provide written information when the employee or designated representative requests access to written information.
- Protect the employee from retaliation or discrimination after a good faith refusal to work with hazardous substance/harmful physical agent if the employee has requested the employer correct the hazardous conditions but the conditions remain uncorrected.