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U.S. Department of Labor
Program Highlights

Fact Sheet No. OSHA 93-26

HAZARD COMMUNICATION STANDARD

SUMMARY

Protection under OSHA's Hazard Communication Standard (HCS) includes all workers exposed to hazardous chemicals in all industrial sectors. This standard is based on a simple concept - that employees have both a need and a right to know the hazards and the identities of the chemicals they are exposed to when working. They also need to know what protective measures are available to prevent adverse effects from occurring.

SCOPE OF COVERAGE

More than 30 million workers are potentially exposed to one or more chemical hazards. There are an estimated 650,000 existing hazardous chemical products, and hundreds of new ones are being introduced annually. This poses a serious problem for exposed workers and their employers.

BENEFITS

The HCS covers both physical hazards (such as flammability or the potential for explosions), and health hazards (including both acute and chronic effects). By making information available to employers and employees about these hazards, and recommended precautions for safe use, proper implementation of the HCS will result in a reduction of illnesses and injuries caused by chemicals. Employers will have the information they need to design an appropriate protective program. Employees will be better able to participate in these programs effectively when they understand the hazards involved, and to take steps to protect themselves. Together, these employer and employee actions will prevent the occurrence of adverse effects caused by the use of chemicals in the workplace.

REQUIREMENTS

The HCS established uniform requirements to make sure that the hazards of all chemicals imported into, produced, or used in U.S. workplaces are evaluated and that this hazard information is transmitted to affected employers and exposed employees.

Chemical manufacturers and importers must convey the hazard information they learn from their evaluations to downstream employers by means of labels on containers and material safety data sheets (MSDS's). In addition, all covered employers must have a hazard communication program to get this information to their employees through labels on containers, MSDS's, and training.

This program ensures that all employers receive the information they need to inform and

train their employees properly and to design and put in place employee protection programs. It also provides necessary hazard information to employees so they can participate in, and support, the protective measures in place at their workplaces.

All employers in addition to those in manufacturing and importing are responsible for informing and training workers about the hazards in their workplaces, retaining warning labels, and making available MSDS's with hazardous chemicals.

Some employees deal with chemicals in sealed containers under normal conditions of use (such as in the retail trades, warehousing and truck and marine cargo handling). Employers of these employees must assure that labels affixed to incoming containers of hazardous chemicals are kept in place. They must maintain and provide access to MSDS's received, or obtain MSDS's if requested by an employee. And they must train workers on what to do in the event of a spill or leak. However, written hazard communication programs will not be required for this type of operation.

All workplaces where employees are exposed to hazardous chemicals must have a written plan which describes how the standard will be implemented in that facility. The only work operations which do not have to comply with the written plan requirements are laboratories and work operations where employees only handle chemicals in sealed containers.

The written program must reflect what employees are doing in a particular workplace. For example, the written plan must list the chemicals present at the site, indicate who is responsible for the various aspects of the program in that facility and where written materials will be made available to employees.

The written program must describe how the requirements for labels and other forms of warning, material safety data sheets, and employee information and training are going to be met in the facility.

EFFECT ON STATE RIGHT-TO-KNOW LAWS

The HCS pre-empts all state (in states without OSHA-approved job safety and health programs) or local laws which relate to an issue covered by HCS without regard to whether the state law would conflict with, complement, or supplement the federal standard, and without regard to whether the state law appears to be "at least as effective as" the federal standard.


The only state worker right-to-know laws authorized would be those established in states and jurisdictions that have OSHA-approved state programs.

These states and jurisdictions include: Alaska, Arizona, California, Connecticut (state and municipal employees only), Hawaii, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Nevada, New Mexico, New York (state and municipal employees only), North Carolina, Oregon, Puerto Rico, South Carolina, Tennessee, Utah, Vermont, Virgin Islands, Virginia, Washington, and Wyoming.

FEDERAL WORKERS

Under the hazard communication standard federal workers are covered by executive order.

This is one of a series of fact sheets highlighting U.S. Department of Labor programs. It is intended as a general description only and does not carry the force of legal opinion. This information will be made available to sensory impaired individuals upon request. Voice phone: (202) 219-8151. TDD message referral phone: 1-800-326-2577.

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