



EMPLOYERS NEED TO BE AWARE OF NEW MODIFICATIONS TO OSHA'S HAZARD COMMUNICATION STANDARD

On March 26, 2012, OSHA revised its Hazard Communication Standard (“HazCom”), aligning it with the United Nations’ Globally Harmonized System of Classification and Labeling of Chemicals (“GHS”). The revised Standard is intended to help workers better understand chemical hazards in the workplace and to improve safety training related to those hazards. The revisions to the Standard include: (1) changes to the criteria for classifying chemicals according to their hazard level; (2) changes to the labeling system to ensure consistency in labels and Safety Data Sheets; and (3) changes to the training requirements on the new labels and Safety Data Sheets. Non-compliance with the updated Standard can result in OSHA citations and fines.

The following is a more detailed explanation of each change:

1. Changes to Hazard Classification: The definitions of certain hazards have been modified to provide specific criteria for health and physical hazard classifications, as well as mixture classifications. These specific criteria will help ensure that all manufacturers’ evaluations of hazardous effects are consistent and that labels and safety data sheets are more accurate.

2 (a). Changes to the Labels: Chemical manufacturers and importers will be now required to provide a label that includes:

- **A Pictogram:** A symbol plus other graphic elements, such as a border, background pattern, or color that is intended to convey specific information about the hazards of a chemical. Each pictogram has a different symbol on a white background within a red square frame set on a point (i.e., a red diamond).
- **A Signal word:** The terms “danger” and “warning” must be used to alert the reader to the relative level of the severity of the hazard. “Danger” is to be used for the more severe hazards.
- **Hazard Statement:** A statement assigned to a hazard class and category that describes the hazardous nature of a chemical, including, where appropriate, the degree of hazard.
- **Precautionary Statement:** A phrase that describes recommended measures to minimize or prevent adverse effects resulting from exposure to a hazardous chemical, or from improper storage or handling of a hazardous chemical.



2 (b). Safety Data Sheets: (Previously called Material Safety Data Sheets) will now have a sixteen-section format, as follows:

Section 1	Identification
Section 2	Hazard(s) identification
Section 3	Composition/information on ingredients
Section 4	First-aid measures
Section 5	Fire-fighting measures
Section 6	Accidental release measures
Section 7	Handling and storage
Section 8	Exposure controls/personal protection
Section 9	Physical and chemical properties
Section 10	Stability and reactivity
Section 11	Toxicology information
Section 12	Ecological information
Section 13	Disposal considerations
Section 14	Transport information
Section 15	Regulatory information
Section 16	Other information, including date of preparation or last revision

(Sections 12-15 may be included in the SDS, but are not required by OSHA.)

3. Training Requirements: Employees must receive training on the new label elements (pictograms and signal words) and SDS format by **December 2013**, while full compliance with the rule will begin in **2015**. In addition, pyrophoric gases, simple asphyxiants, and combustible dust have been added to the definition of “hazardous chemical” and must be included in the training.



The table below summarizes the phase-in dates required under the new standard.

Effective Completion Date	Requirement(s)	Who
December 1, 2013	Train employees on the new label elements and safety data sheet (SDA) format.	Employers
June 1, 2015	Compliance with all modified provisions of this final rule, except for the GHS label requirement (effective date for that is December 1, 2015).	Chemical manufacturers, importers, distributors and employers
June 1, 2016	Update alternative workplace labeling and hazard communication program as necessary, and provide additional employee training for newly identified physical or health hazards.	Employers
Prior to Effective Completion Date	All parties may comply with either the revised Standard, the current Standard, or both.	Chemical manufacturers, importers, distributors, and employers

Coming into compliance with this revised Standard, while necessary, should not be overly burdensome for employers.

—[*Jane H. Heidingsfelder*](#) and [*Patrick J. Veters*](#)



Remember that these legal principles may change and vary widely in their application to specific factual circumstances. You should consult with counsel about your individual circumstances. For further information regarding these issues, contact:

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