

■ HAZARDOUS SUBSTANCES RIGHT-TO-KNOW ACT

TERMS:

Identification of Hazardous Substances — Every employer whose workers are exposed on the job to any toxic or hazardous substance must make a complete list of all such substances readily available to the workers during all hours of operation. Likewise, for each item on the list, the employer is responsible for obtaining a document, known as a "material safety data sheet," which contains identifying information about the substance, its characteristics, its hazards, precautions for safe handling, emergency first-aid procedures, and related data.

Workers' Right to Information — Within 3 working days (not counting weekends and holidays) after a worker's request to see or copy the employer's chemical list or the material safety data sheet for any substance on the list, the employer must make such information available to the worker. If the requested information has not been received within 3 days, the worker may then refuse to work with or be exposed to the substance, free from penalties or discrimination.

Training and Education — Before a worker is assigned to the job and at least once a year after that, the employer is required to provide a program of training and education to advise the worker about all toxic or hazardous materials to which the worker may be exposed on the job. Among other subjects, training must cover both the hazards involved and appropriate work practices, protective measures and emergency procedures.

Farm Labor Contractors' Role — When farmworkers perform services on a farm through a farm labor contractor, it is generally the contractor's responsibility to respond to worker requests for information and to provide the required training and education.

ENFORCEMENT: *Right-to-Know Unit, Workforce Regulation and Safety Division, Rhode Island Department of Labor and Training, Cranston, Rhode Island 02920 (401-462-8570).*

As an alternative to filing a complaint with the state agency, the law gives workers the right to sue the employer in civil court to enforce these provisions, using a private attorney or a public legal services program.

SPECIAL NOTE: An employer may not fire, discipline or discriminate in any manner against a worker because the worker has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions. Using a private attorney or public legal service provider, a worker subjected to retaliation may take legal action against the violator at any time within 180 days after the act occurs, or within 90 days after first becoming aware of the violation.

As an option, the worker may notify the Department of Labor and Training, which has authority in such cases to order the violator to reimburse the worker for any financial losses caused by the retaliation, plus interest.