442.115 Employee education and training.--

(1) Employers shall furnish employees with instruction on the nature and effects of each toxic substance that is present in the workplace. Such instruction shall be either in written form or in training programs, as may be appropriate, and shall be in nontechnical language, but may be generic to the extent appropriate and related to the job. Such instruction shall include:

(a) The chemical name and any common names, unless withheld from the material safety data sheet as a trade secret, of the toxic substance to which an employee may be exposed under normal operating conditions;

(b) The location of the toxic substance in the workplace;

(c) Appropriate first aid treatment and antidotes in the event of improper exposure or overexposure to the toxic substance;

(d) The proper and safe handling of the toxic substance;

(e) The health effects of the toxic substance as described in the relevant material safety data sheet;

(f) Appropriate emergency treatment;

(g) The procedures for cleanup of leaks and spills of the toxic substance;

(h) The potential for flammability, explosion, and reactivity of the toxic substance; and

(i) The rights and duties of employees as set forth in this act.

(2) Employers shall provide their current employees with instruction as described in this section within 9 months of the effective date of this act and at least annually thereafter, and, for employees hired thereafter, within the first 30 days of employment and at least annually thereafter.

(3) Safety consultations provided pursuant to § 440.56(5) will serve to satisfy the requirements of the program if the training otherwise meets the criteria set forth in this section.

(4) Employers who only store toxic substances in sealed containers in the workplace and whose employees are not exposed to those substances in normal circumstances are only required to provide appropriate instruction to their employees concerning procedures for dealing with toxic substances under foreseeable emergency situations.

(5) For purposes of this section, a client of a help supply services company shall include employees of the help supply services company in the client’s employee safety training program. A help supply services company may, by written contract, expressly assume its client’s responsibility for compliance.

History.--s. 7, ch. 84-223; s. 5, ch. 86-45; s. 4, ch. 87-202; s. 27, ch. 89-289; s. 42, ch. 93-415.

¹Note.--Repealed by s. 109, ch. 93-415.