

Labelling and relabelling

Every employer must ensure that all hazardous chemicals supplied or purchased are properly labelled and all containers in use at the place of work are properly labelled.

Information, instruction and training

The employer shall provide information, instruction and training to all employees who may be exposed or are likely to be exposed to chemicals hazardous to health. From the information, instruction and training given, the employee should be able to know:

1. The risk to health created by such exposure
2. The precaution that should be taken

Monitoring of exposure at the place of work

Employer shall ensure monitoring of employees' exposure to chemicals hazardous to health is conducted by registered technician when:

1. A health risk assessment done indicated that monitoring is required, or
2. Monitoring is necessary to ensure the maintenance of adequate control from exposure

Health surveillance

The employer shall carry out a health surveillance programme when the result of the assessment indicated that health surveillance is necessary for the protection of employees exposed or likely to be exposed to chemicals hazardous to health

Removal due to medical reasons

The employer shall not permit any employee to be engaged in and shall remove the employee from any work involving chemical hazardous to health if

1. The employee has a detected medical condition that places him at increased risk of impairment to health from exposure to chemical hazardous to health
2. The employee becomes pregnant
3. The employee is breast feeding new born child

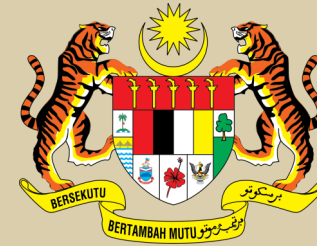
Warning sign

When a chemical hazardous to health is used in any manner that is affecting the health of any person who may be in that area or is likely to be at risk by the chemical hazardous to health, the employer shall ensure that:

- Warning signs are posted at conspicuous locations at every entrance of the area to warn the person entering the area
- Other relevant information are given to person who may be or likely to be at risk of being affected by the chemical hazardous to health

Penalty

Any person who contravenes any provision of this Regulations shall be guilty of an offence and upon conviction be liable to a fine not exceeding RM 10,000 or imprisonment of maximum one year.



Occupational Safety and Health (Use and Standard of Exposure to Chemical Hazardous to Health) Regulations 2000



Introduction

The Occupational Safety and Health (Use and Standards of Exposure of Chemicals Hazardous to Health) Regulations 2000 (USECHH Regulations 2000) is the sixth set of regulations made under the Occupational Safety and Health Act 1994 (OSHA 1994).

The purpose of the USECHH Regulations is to provide a legal framework for the employer to control chemicals hazardous to health with respect to their usage and to set workplace exposure standards so as to protect the health of employees and other persons at the place of work. The Regulations clearly stipulates the responsibility of the employer (including self-employed person), in respect of his employees and any other person, so far as is practicable to protect their safety and health from being affected by chemicals hazardous to health.

The duties of the employer stipulated in the Regulations are:

1. Identifying chemicals hazardous to health
2. Complying with the permissible exposure limits
3. Carrying out chemical health risk assessment
4. Taking action to control hazardous exposure
5. Labelling and relabelling chemicals hazardous to health
6. Providing information, instruction and training
7. Monitoring employee exposure at the place of work
8. Conducting health surveillance
9. Posting of warning signs
10. Record keeping

Application

These Regulations shall apply to all places of work (which are within the jurisdiction of the OSHA 1994) where chemicals hazardous to health are used, except chemicals that are:

- defined as radioactive materials in the Atomic Energy Licensing Act 1984;
- foodstuffs;
- Hazardous to health solely by the virtue of their explosive or flammable properties, or low temperature or a high pressure; and
- pharmaceutical products.

Chemicals hazardous to health

Chemicals are considered hazardous to health if:

- listed in Schedule I, II and III of USECHH Regulations 2000
- they have one or more classification under the health hazard class in CLASS Regulations 2013
- defined as pesticide under the Pesticides Act 1974
- listed in the First Schedule of the Environmental Quality (Schedule Wastes) Regulations 1989

Identification of chemical hazardous to health

All chemicals used at the place of work shall be identified and recorded in a register

and shall be accessible to the officer of the Department of Occupational Safety and Health.

The register shall contain:

1. A list of all chemicals used;
2. A current SDS for each chemicals;
3. Average quantity used, produced or stored per month or per year for each chemical;
4. The process and work area where the chemical is used; and
5. Name and address of supplier for each chemical.

Permissible exposure limit

The employer shall ensure that no person is exposed to any chemical hazardous to health above:

1. The ceiling limit at any time; or
2. The eight- hour time-weighted average airborne concentration

as specified in Schedule I of the USECHH Regulations 2000

Assessment of risk of risk to health

Assessment of risk to health shall be carried out by a registered assessor before doing any work involving chemicals hazardous to health. The assessment shall contain the following information:

1. The potential risk to an employee as a result of exposure to chemicals hazardous to health;
2. The methods and procedure adopted in the use of chemicals hazardous to health;
3. The nature of the hazard to health;
4. The degree of exposure to such chemicals;
5. The risk to health as a result of their usage and their release during the work processes;
6. Measures, procedures and equipment necessary to control any accidental emission of a chemical hazardous to health as a result of leakage, spillage, process or equipment failure;
7. The necessity for an employee exposure monitoring programme;
8. The necessity for a health surveillance programme; and
9. The requirement for training and retraining of employees.

Action to control exposure

Within one month of receiving the assessment report from the assessor, the employer shall take action to control excessive exposure as recommended by the assessor (if any). This may include changes in the work processes, practices, procedures or plant or engineering control equipment to reduce the exposure level to the lowest practicable level.