

Northwest Workforce Service Area Letter 105

Subject: Minnesota Employee Right-to-Know Act

Issuance Date: 1 January 2004, Revised 1 July, 2008

Effective Date: 1 January 2004

Action: WIA program grantees and subgrantees must comply with the health and safety standards established under Federal and State law. The health and safety standards otherwise applicable to the working conditions of employees are equally applicable to the working conditions of participants engaged in programs and activities under WIA Title 1B.

Who: Workforce Investment Board, Local Elected Official Board Members, and Program Providers.

Background: The Minnesota Right-to-Know Act became effective 1 January 1984 and is intended to ensure that employees are aware of the dangers associated with hazardous substances, harmful physical agents, or infectious agents they may be exposed to in their workplaces. To comply with the Employee Right-to-Know standards, employers must identify the hazardous substances, harmful physical agents that are present in the workplace and provide information and training to employees who are routinely exposed to those agents or substances. The Employee Right-to-Know applies to all employers in Minnesota with the exception of federal agencies.

Section 677.274 of WIA Final Rules 29 CFR “mandates that all Federal and State health safety standards and State Worker’s Compensation laws applicable to the working conditions of similarly situated workers are equally applicable to the working condition of participants in programs and activities under Title I of WIA. The employer must provide information and training to employees and participants where a reasonable potential exists for exposure to hazardous substances, harmful physical agents, or infectious agents during the normal course of the employee’s work assignments.

A synopsis of Minnesota’s Employee Right-to-Know Act and the most current information regarding the act is available at www.doli.state.mn.us. A guide for developing an employer’s Right-to-Know program is also available at that site.

Policy and Procedures: Program Providers must comply with the provisions of the Right-to-Know Act and related sections of the State Occupational Safety and Health codes. Program provider case management staff should be familiar with provisions of the Act and are expected to monitor worksites for compliance. Attachment A, “You have the right to a safe and healthful workplace” must be provided to participants entering the work place.

Reference Section

Minnesota Occupational Safety and Health Act of 1973
Minnesota Employee Right-to-Know Act
WIA Final Rules 20 CFR Part 652, Section 667.268

Contact:

Rodger L. Coauette
NWPIC Executive Director
1730 University Avenue
Crookston, Minnesota 56716
Phone/TTY: (218) 281-6020
Fax: (218) 281-6025
E-Mail: rodger.coauette@state.mn.us

ATTACHMENT A

OSHA HANDOUT

**“YOU HAVE THE RIGHT TO A SAFE
AND HEALTHFUL WORKPLACE”**

You have the right to a safe and healthful workplace

The Minnesota Occupational Safety and Health Act (Minnesota Statutes Chapter 182) requires that your employer must provide you with a workplace free of known hazards that can cause death or serious injury. You also have other rights and responsibilities under the OSH Act:

*	You must follow all OSHA standards and your employer's safety rules
*	You have the right to discuss your workplace safety and health concerns with your employer or with Minnesota OSHA.
*	You can file a complaint about safety and health hazards with Minnesota OSHA and request that an inspection be conducted.
*	You are free to speak to a Minnesota OSHA investigator inspecting your workplace.
*	Your employer must provide you with information about any hazardous substances, harmful physical agents and infectious agents you are exposed to at work.
*	You have the right to refuse to perform a job or job duty if you believe that task or equipment will place you at immediate and definite risk of death or serious physical injury. You must, however, perform any other task to which your employer may assign you. You cannot simply leave the workplace.
*	Your employer cannot discriminate against you for exercising any of your rights under the OSH Act. Your employer, however, can discipline you for not following safety and health rules. If you feel your employer has discriminated against you regarding your OSHA rights, you must file a complaint with Minnesota OSHA within 30 days.

For more information or to file a complaint regarding workplace safety and health hazards, contact any MNOSHA area office.

<p><i>Saint Paul Area Office</i> 443 Lafayette Road N. St. Paul, MN 55155-4307 toll-free: 1-877-470-OSHA (1-877-470-6742) Voice: (651) 284-5050 Fax: (651) 297-2527</p>	<p><i>Duluth Area Office</i> 5 N. Third Avenue W Suite 402 Duluth, MN 55802-1611 Voice: (218) 723-4678 Fax: (218) 725-7722</p>	<p><i>Mankato Area Office</i> Nichols Office Center Suite 520 410 Jackson Street Mankato, MN 56001 Voice: (507) 389-6501 Fax: (507) 389-2746</p>
<p>E-mail: OSHA.Compliance@state.mn.us Web site: www.doli.state.mn.us/mnosha.html</p>		
		

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