



**** SPECIAL EDITION – Tuesday, November 16, 2010 ****

The following notice to all employees is from Corporate Safety. A PDF for posting purposes is attached. You must post this notice on your bulletin boards, where other required labor notices are posted.

ACCESS TO EMPLOYEE EXPOSURE AND MEDICAL RECORDS

(Corporate Safety has issued the following notice to all employees)

Employees exposed to toxic substances or harmful physical agents have the right to access employee exposure and medical records per 29 CFR 1910.1020. The company maintains these records as follows:

- A. **Employee exposure records**-records that contain information on workplace monitoring and sampling results and testing background data; material safety data sheets; or, in the absence of such records, chemical inventories indicating the name of the chemicals and their place(s) of use.
- B. **Employee medical records**-records that contain information concerning the health status of an employee that are created and maintained by a physician, nurse, or other health care professional, including the following: medical and employment questionnaires and histories, results of medical examinations, laboratory tests and x-rays, medical opinions, diagnoses, progress notes, and recommendations, first aid records, descriptions of treatments and prescriptions, and employee medical complaints.

Employee exposure and medical records may be obtained by employees or their designated representatives as follows:

- for exposure records-the local industrial hygienist;
- for medical records-the local medical staff.

For employees located where there is no local industrial hygienist or medical staff, exposure records may be obtained from Corporate Safety and medical records from Corporate Medical.

The company will provide access to such records generally within fifteen (15) working days of receipt of the request. If the company cannot provide the records within 15 working days, the company will inform the requesting employee or representative the reason for the delay and the date when the records can be provided. The company provides the first set of copies at no cost to the employee or designated representative.

Designated Representatives

To ensure and to protect the privacy of each employee, only employees and their designated representatives are allowed access to medical and exposure records. Employees who wish to have the company release his/her medical records to a designated representative must provide Corporate Medical or the local medical staff with specific written consent to release the records to the designated representative.

Designated representatives may obtain unconsented access to employee exposure records if they do so in writing, specifying the records requested and the occupational health-related need for gaining access to such records.

Employees

Employees may request, in writing, access to exposure and medical records relevant to the employee. Under 29 C.F.R. 1910.1020 an exposure record relevant to the employee consists of:

- 1) records which measure or monitor the amount of a toxic substance or harmful physical agent to which the employee is or has been exposed;
- 2) In the absence of such directly relevant records, such records of other employees with past or present job duties or working conditions related to or similar to those of the employee to the extent necessary to reasonably indicate the amount and nature of the toxic substances or harmful physical agents to which the employee is or has been subjected, and
- 3) Exposure records to the extent necessary to reasonably indicate the amount and nature of the toxic substances or harmful physical agents at workplaces or under working conditions to which the employee is being assigned or transferred.

This notification is provided to employees upon hire and annually thereafter. Should you have any questions regarding this notice please contact Corporate Safety at ICS (817) 967-2732.