

## **RTK FACTS**

### **Who enforces the Worker and Community Right to Know (RTK) Act?**

There are three state agencies that work together to implement the RTK Act:

- The NJ Department of Health and Senior Services (NJDHSS) enforces all provisions of the RTK Act in public workplaces and RTK labeling in private workplaces. The Department prepares Hazardous Substance Fact Sheets, the RTK brochure, and other materials to increase awareness of hazardous chemicals and help public employers comply with the RTK law.
- The NJ Department of Environmental Protection (NJDEP) enforces the community provisions of the RTK Act in the private sector (except for labeling). NJDEP is also responsible for implementing Title III (Emergency Planning and Community Right to Know) of the Federal Superfund Amendments and Reauthorization Act (SARA), which establishes requirements for industry regarding emergency planning and reporting of hazardous chemicals.
- The NJ Department of Labor & Workforce Development (NJLWD) collects RTK fees from private employers that are used to implement the RTK Act and investigates complaints by public employees who suspect that they are being discriminated against for exercising their rights under the RTK law.

### **What is required of employers by the RTK Act?**

- All employers covered by the Act must complete surveys listing the names and quantities of hazardous chemicals stored and used at their facilities.
- The Right to Know Surveys from public employers are sent to the NJDHSS, while Community Right to Know Surveys from private employers are sent to the NJDEP. Copies of both surveys are sent to local fire and police departments, designated RTK County Lead Agencies, local health departments, and local emergency planning committees.
- Public employers are required to establish and maintain a RTK Central File at each facility. The RTK Central File must include a copy of the facility's RTK Survey, Material Safety Data Sheets (MSDS), NJDHSS Hazardous Substance Fact Sheets, and a copy of the RTK Hazardous Substance List.
- Public employers must also label containers with the chemical name and Chemical Abstract Service (CAS) number of the containers' ingredients and post the RTK Poster

### **How does the Act help to protect public health?**

- Under the RTK Act, you can get information about hazardous substances that may be harmful to you or your family. These substances may be present in your workplace or at facilities in your community, or may be released into the environment. Exposure to hazardous substances has been linked to health effects including cancer, birth defects, heart, lung, and kidney diseases. Health effects may develop without prior symptoms, years after exposure. Awareness about hazardous substances and their health effects can help with proper diagnosis and treatment. More importantly, awareness about hazardous substances and potential exposure can help you make important decisions about employment and lifestyle.

## **What are the workplace rights of New Jersey public employees?**

Public employees have certain rights and access to information about substances with which they work. With this information, workers learn of job-related health risks and ways to minimize their exposure.

The rights of a public employee include:

- The right to work with labeled containers which identify their chemical contents.
- The right to obtain a copy of the RTK Survey of hazardous substances for their workplace.
- The right to get Hazardous Substance Fact Sheets and Material Safety Data Sheets about chemicals they may be exposed to or potentially exposed to from their employer.
- The right to exercise any rights provided by the RTK Act without reprisals from their employer.
- The right to file a complaint against their employer for not complying with the Act. Their name will be kept confidential.
- The right to refuse to work with a substance if their employer has not given them the information they requested in writing within five working days. BEFORE they refuse to work with the substance, employees should call the NJ Department of Health and Senior Services at 609-984-2202

If you need assistance or observe any health hazards in your workplace please contact the RTK coordinator:

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