

Summary of June 2024 Updates to Section 5(e) Order Boilerplate

In June 2024, EPA updated its standard boilerplate language for orders under Section 5(e) to strengthen worker protections and make other housekeeping revisions. The following is a summary of the changes that have been made to the boilerplate language.

Updates that Strengthen Protections for Workers

The latest update to the boilerplate language strengthens worker protections where new chemicals are manufactured, processed, and used. The updates are intended to ensure that workers and their representatives have ready access to information in orders. They also restore and strengthen prior requirements for hazard communication, labeling, safety data sheets and training.

New Requirements

EPA added requirements for companies to provide access to orders to workers and their representatives. The updated boilerplate does this by including new requirements to:

- Keep a copy of the order in a clearly visible, readily accessible location in each work area.
- Provide a copy of the order to workers and their representatives upon request.
- Include sufficient information in the copy such that workers and their representatives can easily tell which chemical the order applies to and what worker protections it requires.
- Provide an *unredacted* copy of the order to any person whose request meets certain requirements.

Restored Requirements

EPA restored prior requirements for written hazard communication programs, labeling, safety data sheets, and employee information and training. EPA also added provisions to the restored requirements, including to:

- Keep a copy of the written hazard communication program in a clearly visible, readily accessible location and provide it to workers and their representatives upon request.
- Keep records documenting compliance with the employee training requirements.
- Include contractors in the employee training.

Housekeeping Revisions

EPA made a number of housekeeping revisions to the boilerplate that include updating example terms, restoring text, removing extraneous text, adding definitions, and editing for clarity and to improve formatting.