

NIH POLICY MANUAL

3015 - Admittance of Minors to Hazardous Areas
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1. Explanation of Material Transmitted:

This transmittal updates NIH policy on the admittance of visiting minors into common use areas that are adjacent to hazardous work areas that may contain inherently or potential hazardous chemicals, radioactive materials, biohazards, or hazardous equipment.

- a. Children under the age of 5 years old are not permitted into hazardous areas or common use areas adjacent to hazardous areas under any circumstances.
- b. Visiting minors, between the age of 5 and 18 years old, are allowed in common use areas adjacent to hazardous work spaces as long as they are accompanied by, and under the supervision of, a parent or legal guardian.
- c. Minors visiting buildings where Select Agents are held: must be accompanied by, and under the supervision of, a parent or legal guardian at all times; are allowed only in common use areas adjacent to hazardous areas; must have a Consent Form for the visit, approved by the Laboratory Director; and must receive clearance through the NIHPD five (5) business days prior to the visit.
- d. Common use areas are spaces where no hazardous work is performed or hazardous materials are held. Examples of common use areas are: libraries, break rooms, cafeterias or cafes, administrative offices, lobbies, patios and hallways.
- e. Consent Forms are available at: <http://www.ors.od.nih.gov/>

2. Filing Instructions:

Remove: NIH Manual 3015 dated 2/25/2008
Insert: NIH Manual 3015 dated: 6/1/2010

PLEASE NOTE: For information on:

- Content of this chapter, contact the issuing office listed above.
 - NIH Manual System, contact the Office of Management Assessment, OM, on (301) 496-2832.
 - On-line information, enter this URL: <http://www1.od.nih.gov/oma/manualchapters/>
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A. Purpose:

This chapter updates NIH policy on the admittance of minors to areas that may contain inherently or potentially hazardous chemicals, radioactive materials, biohazards, or hazardous equipment.

B. Definitions:

1. **Hazardous Area** – Any area that poses an actual or potential risk of illness or injury. At the NIH, the primary areas of concern are described in the Policy Section C.3.c. and d. of this chapter.
2. **Laboratory Director** – Used in the same context as in “Biosafety in Microbiological and Biomedical Laboratories” (CDC/NIH, HHS 2007) to mean the officially designated supervisor (Branch Chief or Laboratory Chief) who has responsibility for all activities within a laboratory.
3. **Minor** – Any person under the age of 18.
4. **Office** – A room which is physically separated from a laboratory. An office that is an integral part of a laboratory room will be considered to be laboratory space.

C. Policy:

It is the policy of the NIH to allow minors, whether they are NIH employees or visitors to access non-hazardous areas of the NIH without special approvals. The following policies apply to minors when accessing areas deemed as hazardous at the NIH and require special written approval:

1. **Minors who are Patients / Healthy Research Volunteers** – are exempt from this policy.
2. **Minors who are Employees** – Minors who are working as student volunteers, special volunteers, or as summer students are considered “employees” for the purpose of this policy.
 - a. All minors who are employees working at the NIH must be at least 16 years of age and be appointed as prescribed in [NIH Manual Chapter 2300-308-1](#), “Guest Researcher/Special Volunteer Programs”.
 - b. Minors that are employees may not work with human and/or nonhuman primate: blood, body fluids and tissues.
 - c. Requirements for Minors Intending to Use Radioactive Materials - Prior to working with radioactive materials, a minor must submit an [application](#) to the Division of Radiation Safety (DRS), ORS, for approval. DRS will verify the following criteria are met:

- i. Minors under the age of 16 are prohibited from working with radioactive materials;
 - ii. Minors who are 16 or 17 years of age are prohibited from handling source vials and need special permission from the Radiation Safety Officer (RSO) to use other radioactive materials, including performing monthly surveys;
 - iii. Before working with radioactive materials, minors must have successfully completed the "Laboratory Safety" course and the "Radiation Safety in the Laboratory" course;
 - iv. All use of radioactive material by an RSO-approved minor must be directly supervised at all times by a trained adult NIH staff member;
 - v. Failure to supervise a minor while he or she is using radioactive materials will result in immediate suspension of the Authorized User's privilege to order and receive radioactive materials;
 - vi. Written consent of the student's parents/guardians is required as part of the approval process.
- d. Hazardous Laboratories or Animal Areas – Minors who are employees are not permitted in the following areas:
- i. Laboratories posted at Biosafety Level 3 or Biosafety Level 4;
 - ii. Laboratories posted at Biosafety Level 2 with Biosafety Level 3 Practices;
 - iii. Laboratories in which known carcinogens, reproductive toxins or other acutely toxic chemicals are being handled;
 - iv. Areas of high radiation or airborne radioactivity (as defined in 10 CFR 20.1003);
 - v. Nonhuman primate holding rooms; and,
 - vi. Areas where procedures with awake nonhuman primates are conducted.

3. Minors who are Visitors

- a. Laboratories - Visiting minors will not be permitted in any laboratory except with the specific written permission of the laboratory director. A laboratory director contemplating a visit by his/her own minor children will obtain written authorization from his/her supervisor.
- b. Clinical Center - Non-patient minors shall be under adult supervision at all times during their visit. Minors may visit patients in most patient rooms. However, minors under 12 years of age are not permitted into any Clinical Center laboratory, patient care area, or administrative area of the hospital or clinic (including, but not limited to, treatment rooms, physician's offices, patient isolation rooms, operating or recovery rooms, ICU's, or other "restricted" areas) unless specific permission is obtained beforehand from the attending physician, head nurse, or other appropriate supervisor.
- c. Hazardous Building, Trade, Craft Areas or Construction Site - Specific written permission of the appropriate supervisor is required before visiting minors are permitted into any shop, mechanical space, or construction site. All minors must be continually supervised while in such areas. Furthermore, minors are not permitted into areas posted with restrictive warning signs. Examples are: "Danger – Asbestos", "High Voltage", "Caution – PCB's", "Danger – High Noise Hazard", "Authorized Personnel Only."
- d. Hazardous Laboratories or Animal Areas - Visiting minors will not be permitted into areas posted with radiation warning signs or into any animal facility, except with the specific written permission of the laboratory or animal facility director. Visiting minors and employees under 18 years of age are not permitted in the following areas:
 - i. Laboratories posted at Biosafety Level 3 or Biosafety Level 4;
 - ii. Laboratories posted at Biosafety Level 2 with Biosafety Level 3 Practices;
 - iii. Laboratories in which known carcinogens, reproductive toxins or other acutely toxic chemicals are being handled;
 - iv. Areas of high radiation or airborne radioactivity (as defined in 10 CFR 20.1003);
 - v. Nonhuman primate holding rooms; and
 - vi. Areas where procedures with awake nonhuman primates are conducted.

D. References:

1. [Title 10 of the Code of Federal Regulations, Chapter I- Nuclear Regulatory Commission, Part 20](#), Subpart A, Section 1004, Units of Radiation Dose; Subpart C, Section 1201, Occupational dose limits for adults; Section 1207, Occupational dose limits for minors; and Subpart D, Section 1301, Dose Limits for Individual Members of the Public.
2. Biosafety in Microbiological and Biomedical Laboratories, U.S. DHHS, Centers for Disease Control and Prevention and National Institutes of Health. HHS Publication No. (CDC) 84-8395. 5th Edition, Feb 2007.
3. [NIH Manual Chapter 1340](#) – “NIH Occupational Safety and Health Management.”
4. NIH Manual Chapter 1405- “Access Control Policy” (pending release)
5. NIH Manual Chapter 1441- “Visitor Policy” (pending release)
6. [NIH Manual Chapter 1743](#), "Keeping and Destroying Records," Appendix 1, NIH Records Control Schedule:
7. [NIH Manual Chapter 2300-308-1](#) – “Guest Researcher/Special Volunteer Programs”
8. [NIH Manual Chapter 3034](#) - "Working with Hazardous Materials"
9. [NIH Manual Chapter 3035](#) - "Working Safely with Hazardous Biological Materials"
10. [NIH Chemical Hygiene Plan](#)
11. NIH Clinical Center Policy and Communication Bulletin M92-10 of September 7, 2006.
12. Deputy Director Intramural Research Letter “Additional Responsibilities and Training Requirements for Working With Nonhuman Primates,” Issued April 1997, signed by Dr. Michael Gottesman.

E. Responsibilities:

1. All NIH employees have a continuing responsibility to assure a safe work environment exists for themselves, their co-workers, visitors, Clinical Center patients and their guests.
2. Employees: Any employee who brings a minor into work must have the necessary approval presented in this manual chapter.
3. Supervisors: When notified that a minor will be in an area they are responsible for, supervisors should conduct a risk assessment to determine if it is appropriate for the minor to enter. The IC Safety Specialist can assist with this assessment. The supervisor should inform the Laboratory Director of the assessment and if any safety concerns exist. Supervisors are responsible to ensure that employees who request to bring minors into the workplace, are aware of the requirements of this manual chapter and that proper approvals have been received.

4. **Laboratory Directors:** Laboratory Directors are responsible to determine if an area is safe for a minor to enter. In addition, the Laboratory Director must provide written approval to the employee(s) requesting admittance of a minor to a hazardous area. If the Laboratory Director has any safety concerns, he/she should contact the DOHS or Safety Specialist assigned to the IC.
5. **Division of Occupational Health and Safety:** A Safety Specialist is assigned to each IC. The Safety Specialist works to ensure a safe and healthy work environment by providing technical assistance and guidance. This includes working with IC personnel to assess potential risk associated with minors entering hazardous areas at the NIH. The DOHS coordinates with program directors responsible for educational tours, including the annual "Take Your Child to Work Day".
6. **Division of Radiation Safety** is responsible for meeting the requirements set forth by the Nuclear Regulatory Commission and Department of Energy. The DRS provides training, technical assistance, information and guidance on the safe and proper use of radioactive materials in use at the NIH. The DRS must review and approve all applications for minor employees prior to working with radioactive material.

F. Records Retention and Disposal:

Records Retention and Disposal: All records (e-mail and non-e-mail) pertaining to this chapter must be retained and disposed of under the authority of the [NIH Manual Chapter 1743](#), "Keeping and Destroying Records," Appendix 1, NIH Records Control Schedule; Section 1300 – Station Management, Item 1300-B-3, "Safety management subject files".

NIH e-mail messages: NIH e-mail messages (messages, including attachments, that are created on the NIH computer systems or transmitted over the NIH networks) that are evidence of the activities of the agency or have informational value are considered Federal records. These records must be maintained in accordance with current NIH Records Management guidelines. Contact your IC Records Officer for additional information.

All e-mail messages are considered Government property, and if requested for a legitimate Government purpose, must be provided to the requester. Employees' supervisors, the NIH staff conducting official reviews or investigations, and the Office of Inspector General may request access to or copies of the e-mail messages.

E-mail messages must also be provided to the Congressional Oversight Committees, if requested, and are subject to the Freedom of Information Act requests. Since most e-mail systems have back-up files that are retained for significant periods of time, e-mail messages and attachments are likely to be retrievable from a back-up file after they have been deleted from an individual's computer. The back-up files are subject to the same requests as the original messages.

G. Internal Controls:

The purpose of this Manual Chapter is to establish the NIH policy for admittance of minors to hazardous areas.

1. **Office Responsible for Reviewing Internal Controls Relative to This Chapter (Issuing Office):**

Through this manual issuance, the Division of Occupational Health and Safety (DOHS), Office of Research Services (ORS) is responsible for the methods used to ensure that internal controls are implemented and working. Compliance will be reviewed during DOHS worksite surveys and during the IC Safety and Health surveys.

2. **Frequency of Review:** Annual review.

3. **Method of Review:**

The DOHS will maintain oversight and ensure effective implementation and compliance with this policy through awareness training incorporated into DOHS sponsored training courses including, “Laboratory Safety at the NIH” and the annual “Laboratory Safety Refresher Course”. The policy will also be presented to the Chairpersons of the IC Safety Committees.

The DOHS will coordinate with program directors responsible for educational tours, including the annual “Take Your Child to Work Day” and will survey participating laboratories and other worksites for any potential hazards.

4. **Review Reports are sent to:**

Reports should be sent to the Associate Director for Research Services, the Deputy Director for Intramural Research and the Deputy Director for Management. Reports should indicate that controls are in place and working well or indicate any internal control issues that should be brought to the attention of the report recipient(s).