

# Worker Protection Standards Employer Requirements

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EPA's Agricultural Worker Protection Standard (WPS) are designed to reduce pesticide poisonings and injuries among agricultural workers and pesticide handlers. EPA has revised the WPS several times in order to decrease pesticide exposure incidents among farmworkers and their family members. Fewer incidents results in a healthier workforce and fewer lost wages, medical bills and absences from work and school. Pesticide safety training materials with the expanded WPS content must be used to train workers and handlers.

WPS is a set of standards that requires owners and employers on agricultural establishments and commercial pesticide handling establishments to protect *all* of their employees from exposure to agricultural pesticides. If you work on a farm, in forests, on a plant nursery, or inside a greenhouse, you have the right to be provided proper PPE, to be trained annually, and to get medical attention for pesticide related incidents. If you own an agricultural operation, make sure you are in compliance with these standards - and if you are working as an employee, make sure these standards are being met in your workplace. There are many elements to WPS that employers must understand and follow to be in compliance. This factsheet outlines the agricultural employer responsibilities to meet the requirements of WPS.

## *Anti-Retaliation*

The first provision is that the employer is not permitted to retaliate against an employee that is trying to comply with WPS. These standards are to protect employees from acute as well as long-term exposure to agricultural pesticides.

## *Minimum Age Requirement*

Agricultural workers do not directly work with pesticides or pesticide equipment, but may be exposed to agricultural pesticide residues where they are working. Worker protection standards set a minimum age of 18 for agricultural workers entering

areas under a restricted entry interval or REI following an application. In these situations, only certain tasks are permitted, personal protective equipment must be worn, and those workers must be at least 18 years old.

Agricultural handlers have duties where they may work with pesticides or equipment used to apply pesticides. Pesticide handlers, applicators and non-certified applicators under the supervision of certified applicators must also be at least 18 years old.

## *Central Information Center*

Employers must also have a central pesticide information center where pesticide safety, application information, and emergency medical information is posted. All employees must have free access to this location. The required information includes an EPA approved pesticide safety poster in a language the workers can understand, name address and phone number of the nearest medical facility, SDS sheets for each of the pesticides that have been applied, and records of pesticide applications must be posted within 24 hours of applications and before workers can enter those areas. Those records must remain posted for at least 30 days after the expiration of the restricted entry interval, REI.

The application records must include the product name and active ingredient, the EPA registration number, the crop or site and description of the treated area, start and end times of application, and the duration and expiration of the restricted entry interval.

All agricultural workers and handlers must have unrestricted access to all of the information and the information must be kept current and legible.

## *Decontamination Supplies*

Decontamination supplies must be provided within a ¼ mile of all workers and handlers during their work activities. There needs to be at least 1 gallon of safe clean water per worker and 3 gallons per handler at the beginning of each work period for routine and emergency decontamination. There needs to be plenty of soap and single use towels. Note that hand sanitizers and towelettes are no sufficient. There needs to be a clean set of clothes or coveralls for handlers.

Pesticide handlers must have decontamination supplies where personal protective equipment is removed at the end of a task, as well as at each pesticide mixing and loading site. Employers must display the EPA Pesticide Safety Poster at permanent sites where decontamination supplies are kept and where decontamination supplies are provided for 11 or more workers.

Pesticide handlers must be provided decontamination supplies at each location where they mix and load pesticides. When labeling pesticide requires protective eyewear for handlers, or when using a closed system under pressure eye-flushing decontamination supplies must be provided. In the mixing load area, a system that provides gentle running water at 0.4 gallons per minute or 6 gallons of water in containers suitable for gentle eye-flushing for about 15 minutes. When applying products requiring protective eyewear, provide 1 pint of water per handler in containers immediately available to each handler.

Keep decontamination supplies out of treated areas and areas under an REI unless they are protected from contamination in closed containers.

#### *Agricultural Worker and Handler Training*

All workers must be trained annually before they can enter areas that have been under a REI in the past 30 days. Handlers must be trained annually before they perform any pesticide handling activity including mixing, loading or applying agricultural pesticides; cleaning or repairing pesticide application equipment; or assisting with the application of pesticides. The training must use EPA-approved materials either presented orally from written materials or audio-visually. County extension office can provide an EPA-approved video that trainers can use to train employees. Trainers must be certified applicators and the training must be delivered in a manner the employees can understand, and the

trainer must be present and respond to questions. WPS training records must be kept for 3 years.

#### *Information Exchange*

Before any application, commercial pesticide handler employers must make sure the owner/operator of an agricultural establishment where a pesticide will be applied, is aware of:

- Location and description of area to be treated,
- Date of application, estimated start time and estimated end time of the application,
- Product name, EPA registration number, active ingredient(s), and REI,
- Whether the product label requires both oral warnings and treated area posting,
- All other safety requirements on labeling for workers or other people.

Owners/operators of agricultural establishments must make sure any commercial pesticide handler employer they hire is aware of:

- Specific location and description of any treated areas where an REI is in effect that the commercial handler may be in or walk within 1/4 mile of, and,
- Restrictions on entering those areas.

#### *Emergency Assistance*

If there is reason to believe a worker or handler has been exposed to pesticides and needs emergency medical treatment, employers must promptly make transportation available to an appropriate emergency medical facility. They must provide to the treating medical personnel, information related to each pesticide product to which the person may have been exposed including Safety Data Sheet, the product name(s), EPA registration number, and active ingredient(s), a description of how the pesticide was used on the agricultural establishment, and the circumstances that could have resulted in exposure to the pesticide.

#### *Application Exclusion Zone (AEZ)*

Worker protection standards requires employers to keep workers and all other individuals out of an area called the “application exclusion zone” (AEZ) during outdoor pesticide applications. The AEZ is the area surrounding pesticide application equipment that exists only during outdoor production pesticide applications.

AEZ size for ground spray applications for all ground-based sprays from a discharge height greater than 12 inches is subject to 25 ft AEZ. A 100 ft AEZ is required for outdoor applications made aerially; by air blast or air-propelled applications such as a fumigant, smoke, mist, or fog.

Applicators must suspend application if workers or other persons are within the AEZ. The AEZ is limited to within the boundaries of the agricultural establishment. It is the employers responsibility to keep workers and everyone other than appropriately trained and equipped handlers out of the treated area (for all types of applications) and out of the AEZ for outdoor production, or a specified area that varies by the type of application until the ventilation criteria are met for enclosed space applications.

Employers must not allow handlers to apply a pesticide so that it contacts, directly or through drift, anyone other than appropriately trained and equipped handlers. The must instruct handlers must suspend applications when anyone other than appropriately trained and equipped handlers enter the application exclusion zone (AEZ).

#### *Notification of Employees*

Orally warn workers and post treated areas if required by the pesticide labeling. If oral warnings are not required, then post warning signs if the REI is greater than 48 hours for outdoor production or 4 hours for enclosed space production. For all other applications, either orally warn workers or post warning signs.

Post legible 14" x 16" WPS-design warning signs no more than 24 hours prior to an application, keep signs in place during the REI, and remove or cover before workers enter and within 3 days after the end of the REI. Post signs so they can be seen at all reasonably expected entrances to treated areas.

Before each application, tell workers who are on the establishment (in a manner they can understand) the location and description of treated area, date and times entry is restricted, AEZ, REI, and not to enter during REI. 2. Workers who enter the establishment after application starts must receive the same warning at the start of their work period.

#### *Monitoring of Handlers During Applications*

When anyone is handling a highly toxic pesticide with a skull and crossbones, maintain sight or voice contact every two hours. Make sure a trained handler equipped with labeling-specific PPE maintains constant voice or visual contact with any handler in an enclosed-space production site (e.g., greenhouses, high tunnels, indoor grow houses) while applying a fumigant.

#### *Application Specific Information for Handlers*

Before handlers do any handling task, inform them, in a manner they can understand, of all pesticide labeling instructions and restrictions for safe use. The employer must ensure that the handler has access to product labeling during the entire handling task.

#### *Inspecting of Equipment*

It is the employer's responsibility to inspect pesticide handling equipment before each day of use, and repair or replace as needed. Allow only appropriately trained and equipped handlers to repair, clean, or adjust pesticide equipment that contains pesticides or residues, unless they are not employed on the establishment.

#### *Personal Protective Equipment (PPE)*

Employers must provide handlers and early-entry workers with the PPE required by the pesticide labeling, and be sure it is clean and in operating condition, worn and used according to the manufacturer's instructions, inspected before each day of use, and repaired or replaced as needed.

When a respirator is required by product labeling, employers must provide handlers with a evaluation by a medical professional to ensure the handler is physically able to safely wear the respirator, training in proper respirator use, and an annual fit test according to OSHA standards to ensure the respirator fits correctly. Medical evaluation and annual fit test records must be kept on the establishment for three years.

Employers must provide handlers a pesticide-free area for storing personal clothing not in use, and to putting on and take off PPE at start and end of tasks. Do not allow PPE to be taken home.

#### *Cleaning PPE*

Used PPE must be stored and washed separately from other clothing and laundry. If PPE will be reused, clean it before each day of reuse, according to the instructions from the PPE manufacturer. If there are no other instructions, wash in detergent and hot water, then dry the clean PPE before storing. Store clean PPE away from personal clothing and outside of pesticide-contaminated areas.

Discard, do not clean, coveralls and other absorbent materials that are heavily contaminated with pesticide having a signal word "DANGER" or "WARNING." When discarding PPE, ensure that it is unusable as apparel or made unavailable for further use.

The employer must inform people who clean or launder PPE that PPE may be contaminated with pesticides, of the potential for harmful effects of exposure to pesticides, how to protect themselves when handling PPE, how to clean PPE correctly, and decontamination procedures to follow after handling contaminated PPE.

#### *Equipment Maintenance*

Before allowing persons not directly employed by the establishment to clean, repair, or adjust pesticide application equipment, the employer must provide the following information:

- The equipment may be contaminated with pesticides.
- The potentially harmful effects of pesticide exposure.
- How to handle equipment to limit exposure to pesticides.
- How to wash themselves and/or their clothes to remove and prevent exposure to pesticide residues