

Contact Information

For more information on the Worker Protection Standard, outreach and training materials, Train the Trainer program, WPS interpretive guidance or compliance assistance, contact:

Florida Department of Agriculture
and Consumer Services
Bureau of Compliance Monitoring
Attn: Worker Safety Coordinator
UF/IFAS Pesticide Information Office
P.O. Box 110710
Gainesville, FL 32611-0710
Telephone (352) 392-4721
Fax (352) 846-0206
Email: wps@doacs.state.fl.us

Website:

<http://www.flaes.org>

Or, contact your local county extension office for pesticide information and training programs in your area.



Florida Department of Agriculture and
Consumer Services

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DOES THE WORKER PROTECTION STANDARD APPLY TO ME?

A self help guide to assist in
determining who must comply with the
Federal Worker Protection Standard

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What is the Worker Protection Standard?

The Worker Protection Standard (WPS) is a federal regulation that is aimed at protecting agricultural employees who might come in contact with pesticides (pesticides can be insecticides, fungicides, herbicides, rodenticides etc.).

The US Environmental Protection Agency implemented the WPS in 1992 and delegated compliance and enforcement activities to individual states. The Florida Department of Agriculture and Consumer Services is charged with these activities in Florida and has the authority to determine compliance and take enforcement actions when necessary.

What type of establishments are covered by the WPS?

Any farm, forest, nursery or greenhouse that is involved in the *production or maintenance* of agricultural plants can fall under the scope of WPS. “Agricultural plants” include all nursery plants such as ornamentals, shrubs, annuals, etc. grown or maintained for sale or commercial use.

How does the WPS protect employees?

The WPS protects employees by requiring employers to take certain precautions and make certain provisions for their employees to prevent and mitigate pesticide exposures. Generally speaking, these provisions include:

- ✓ A central location display area where employees can access information on where and what pesticides have been applied, measures they can take to reduce their risk of pesticide exposure and the location of the nearest medical facility.

- ✓ Sufficient decontamination supplies (as determined by the standard) for workers and handlers.
- ✓ Training for workers and handlers on the hazards of working around pesticides and how to prevent exposure.
- ✓ Transportation to the nearest medical facility if a pesticide related illness is suspected.

Note: These are the general provisions only. Other provisions may be required which are determined by the type of work the employee is performing, the location that pesticide applications have been made or specific labeling on the pesticide.

Which employees are covered?

The WPS covers only two types of employees, agricultural workers (“workers”) and pesticide handlers (“handlers”). Workers are individuals compensated for performing tasks such as harvesting, weeding or watering on an establishment covered by WPS. Handlers are those compensated for tasks such as mixing, loading, transferring or applying pesticides. Handling tasks also include handling open pesticide containers, cleaning or repairing pesticide application equipment, assisting in an application or acting as a flagger.

Does the pesticide label say anything about complying with WPS?

Employers who fall under the WPS must comply with the WPS only if the pesticide that has been used contains a WPS statement in the Agricultural Use Requirements box located in the Directions for Use section of the pesticide label. This statement indicates that “This product is to be used only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170...”

For pesticide products with WPS requirements, the product label indicates the REI (restricted entry interval) for that product. The REI is the time immediately after a pesticide application when entry into the treated area is limited. REIs can change for one product depending on the crop, climate or method of application.

Summary

Employers must comply with the WPS if:

- 1) They own or manage a farm, forest, nursery or greenhouse where pesticides are used for the production or maintenance of agricultural plants and
- 2) They hire or contract for the hire of agricultural workers or pesticide handlers to perform tasks related to the production or maintenance of agricultural plants on a farm, forest, nursery or greenhouse and
- 3) A pesticide containing a WPS label has been used within the last 30 days or an REI has been in effect within the last 30 days.

For more information on the Worker Protection Standard, contact the Florida Department of Agriculture and Consumer Services at (352) 392-4721. *See reverse for additional contact information.*

