

Quick Overview of the Federal Worker Protection Standard (WPS)

Key Definitions Relating to WPS

Agricultural establishment --- any farm, forest nursery or greenhouse.

Agricultural employer --- any person who hires or contracts for services of workers/handlers, for any type of compensation, to perform activities related to the production of agricultural plants, or any person who is an owner or responsible for the management or condition of an agricultural establishment that uses workers/handlers.

Agricultural plant --- any plant grown or maintained for commercial or research purposes and includes, but is not limited to, food, feed, and fiber plants; trees; turfgrass; flowers; shrubs; ornamentals; and seedlings.

Handler --- any person, including a self employed person, who mixes, loads, transfers, applies, disposes pesticides or pesticide containers, cleans, adjusts, handles or repairs application equipment, acts as a flagger, etc.

Restricted entry interval (REI)--- the time after the completion of a pesticide application during which entry into the treated area is restricted.

Worker --- any person, including a self employed individual, who performs hand labor tasks, including weeding, harvesting, topping, sucker removal, packing produce in the field, thinning, etc.

What Employers Must Do for Both Workers and Handlers

Information at a central location

Information must be made available to workers and handlers at a central location where it can be easily accessed during normal business hours and must include the following information:

- EPA WPS Safety Poster
- Name, address and telephone number of the nearest medical facility
- Facts about each pesticide application (from before each application begins to 30 days after the REI)
 - Application list which includes the location and description of the area to be treated.
 - Product name, EPA registration number, and active ingredient(s) of the pesticide.
 - Time and date the pesticide is scheduled to be applied.
 - Restricted entry interval for the pesticide.

Pesticide Safety Training

Agricultural workers must be trained within the first 5 days of employment. Handlers must be trained before any handling activity is performed. Workers and handlers must each be trained at least once every 5 years. Trainers must:

- Use written and/or audiovisual materials,
- Use EPA approved materials for training,
- Conduct the training orally and/or audiovisually in a manner the employees can understand with an opportunity to answer questions and
- Meet one of the following criteria to perform training:
 - Currently be a certified applicator of Restricted Use Pesticides (RUPs) or
 - Currently be designated by a State, Federal or Tribal agency having jurisdiction, as a trainer of pesticide applicators or
 - Have completed a pesticide safety Train the Trainer program conducted by a State, Federal or Tribal agency having jurisdiction.

Decontamination Supplies

Employers must establish a decontamination site within 1/4 mile of where workers and handlers are performing their duties. Handlers mixing pesticides must have a decontamination site at the mixing area. The decontamination site must include:

- Enough water for routine washing and for eyeflushing,
- An adequate supply of soap and single use towels,
- Enough water to wash the entire body (for handlers only) and
- A clean change of clothes such as coveralls (for handlers only).

Employer/Commercial Applicator Information Exchange

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

- Specific location and description of area (s) to be treated,
- Time and date of application,
- Product name, EPA registration number, and active ingredient,
- Restricted entry interval for the pesticide,
- Notification requirements; oral/posting and
- Any other specific requirements for the protection of workers and other persons during or after the application.

Operators of agricultural establishments must make sure any commercial pesticide establishment operator they hire is aware of:

- Specific location and description of all areas on the establishment where pesticides will be applied or where an REI will be in effect while the commercial handler is on the establishment and
- Restrictions on entering those areas.

Emergency Assistance

Agricultural employers must make emergency transportation available for workers and handlers to an emergency medical facility. In the event of a suspected poisoning, they must also provide information to the victim and medical personnel about the pesticide including:

- product name, EPA registration number and active ingredients,
- all first aid and medical information from the label,
- description of how the pesticide was used and
- information about the victim's exposure.

Additional Duties for Handler Employers

- Do not allow handlers to apply a pesticide so that it contacts, either directly or through drift, anyone other than trained and PPE equipped handlers.
- Make sight or voice contact at least every 2 hours with anyone handling pesticides with a skull and crossbones on the label.
- Make sure a trained handler equipped with labeling-specific PPE maintains constant voice or visual contact with any handler in a greenhouse who is doing fumigant-related tasks, such as application or air-level monitoring.
- Before any handling task, inform handlers, in a manner they can understand, of all pesticide labeling instructions for safe use.
- Keep pesticide labeling accessible to each handler during entire handling task.
- Before handlers use any assigned handling equipment, tell them how to use it safely.

Additional Duties for Worker Employers

- During any REI, do not allow workers to enter a treated area and contact anything treated with the pesticide to which an REI applies.