

Understanding the Revised Worker Protection Standard

What Employers and Others Need to Know

Principles of WPS

- Inform
- Protect
- Mitigate

The intent of the Worker Protection Standard (WPS) is to reduce the risk of illness or injury to workers and handlers who use and/or are exposed to pesticides in the course of growing a crop on a farm, forest, nursery or in an enclosed space. Please refer to the page citations in The How to Comply Manual (HTC) for more detailed information on each major topic.

1 You and your employees are covered by the WPS if you (HTC pages 9-15)

- (a) Produce an agricultural plant on a
 - Farm
 - Forest
 - Nursery or in an
 - Enclosed space e.g. greenhouse AND
- (b) Use a pesticide with WPS language on the label

2 Uses not covered under WPS include (HTC page 16)

- Right-of way
- Pasture or rangeland
- Livestock and their premise
- Rodent control if not related to crop production
- Mosquito abatement
- Harvested portion of crops (such as grain)

3 Who does the WPS protect? (HTC pages 4-5)

- (a) Workers - perform hand labor tasks such as harvesting, weeding or pruning in a pesticide treated area within 30 days after an application. *Workers performing early entry tasks must be at a minimum 18 years old.*
- (b) Handlers – who mix, load or apply a pesticide or work on pesticide application equipment. *Handlers must be at a minimum 18 years old.*

4 Who is partially exempt from the WPS? (HTC page 16)

If more than 50% of the agricultural establishment is owned by one or more members of the same immediate family, then the immediate family is exempt from the following WPS provisions:

- Pesticide safety training
- Notice of applications
- Records of applications and posting of Safety Data Sheets (SDS)
- Emergency assistance
- Decontamination supplies

Immediate family is defined as spouse, parents, stepparents, foster parents, father-in-law, mother-in-law, children, stepchildren, foster children, sons-in-law, daughters-in-law, grandparents, grandchildren, brothers, sisters, brothers-in-law, sisters-in-law, aunts, uncles, nieces, nephews and first cousins.

Owners and immediate family must still follow all other non-WPS specific pesticide label instructions. In addition when a product requiring a respirator is used, owners and family members must comply with all of the information in Section D of this publication.

What Are Owners Responsibilities?

A Pesticide Safety Training (HTC pages 27-30)

- Workers and handlers already certified **do not** have to receive worker/handler training.
- Workers must be trained before entering a pesticide treated area.
- Handlers must be trained before performing any handling task.
- Workers and handlers must receive yearly training.
- Employer must keep record of training for two years.
- Only certified pesticide applicators (both commercial and private) and graduates of “Train the Trainer” courses can train workers and handlers.
- Trainer must be present during entire training.
- Only EPA approved material can be used for training.

B Safety, Application & Hazard Information (HTC pages 21-25)

- Safety, application and hazards must be displayed if application within 30 days and workers or handlers are present.
- Application information must include:
 - Location and description of treated area
 - Product name, EPA Reg. # and active ingredient(s)
 - Restricted Entry Interval (REI)
 - Date of application including the start and end time
 - Pesticide safety poster (new content January 2018)
 - Fill in emergency information at bottom of safety poster
 - Safety Data Sheet (SDS) **for each pesticide applied**
 - Records need to be displayed for 30 days beyond the expiration of the REI.
- Records of application kept for two years.



C Notice about Applications (HTC pages 41-47)

- Orally warn workers **and** post warning signs if required by the pesticide label (double notification).
- If double notification is not required by the label, post warning signs if the Restricted Entry Interval (REI) is greater than:
 - 4 hours for enclosed spaces
 - 48 hours for outdoor production
 - For all other applications, **either** orally warn workers or post warning signs

D Personal Protective Equipment (HTC 62-73)

- Employers must provide the PPE that is required by the pesticide product labeling for the worker or handler to use.
- For the purposes of WPS, long-sleeved shirts, short sleeved shirts, long pants, short pants, shoes and socks are considered standard attire and do not have to be provided by the employer.
- When a respirator is required by the label **employers must provide** prior to use:
 - A medical evaluation, training in the correct use and upkeep and fit testing
- Employer must keep records of evaluation, training and fit testing for two years.

E Decontamination Supplies (HTC pages 48 and 74)

Workers and handlers must be provided with the following decontamination supplies within one quarter mile of the worksite:

- One gallon of water per worker
- Plenty of soap and single use paper towels for both workers and handlers
- Change of clothes for handlers
- Three gallons of water per handler
- If protective eyewear required and/or the handler is mixing or loading any pesticide using a closed system operating under pressure:
 - 1 pint of eye flush water immediately available (on person) and
 - Extra three gallons of water available per handler for continuous eye flush

F Emergency Assistance (HTC page 26)

If there is reason to believe a worker or handler has been exposed to a pesticide:

- Transport promptly to a medical facility
- Promptly provide to medical personnel:
 - Product name, EPA Reg. # and active ingredient(s)
 - How pesticide was being used
 - Circumstances of exposure
 - SDS

G Custom Applicator & Grower Interactions (HTC pages 31-32)

Before any application, the Custom Applicator must inform the customer of:

- Location and description of the area to be treated
- Date of the application and the estimated start and end time
- Product name, EPA Reg. #, active ingredient(s) and REI
- Whether the product requires oral, posted warnings or both
- Any other safety requirements on the label for workers or other persons (i.e. early entry personal protective equipment)

The grower must inform the custom applicator of any areas on their property where an REI is in effect and the restrictions for entering those areas.

H The Application Exclusion Zone (AEZ) (HTC pages 37-38)

The AEZ is a zone or area surrounding pesticide application equipment that exists only during outdoor pesticide applications. The intent of the AEZ is to help insure that unprotected persons will not be drifted on or in the AEZ during application.

- The size of the AEZ varies between 25 feet to 100 feet and is determined by the application method and spray droplet size.
- The employer must not allow any unprotected persons in the AEZ when the application is occurring.
- **The applicator** must suspend applications if any person enters or is in the AEZ.



DISCLAIMER: This publication is an overview only and does not fully address all the requirements of the WPS. The publication is distributed with the understanding that the authors are not rendering legal or other professional advice to the reader, and that the information contained herein should not be regarded or relied upon as a substitute for professional consultation. Details on total compliance with the WPS are available by referring to specific pages in the "How to Comply Manual." For complete information, go to www.epa.gov/pesticide-worker-safety.

For a comprehensive list of WPS resources, visit the Pesticide Educational Resources Collaborative (PERC) website at www.pesticideresources.org.

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