

How to Survive A Worker Protection Standards Audit



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OPERATIONS**

WHAT EMPLOYERS MUST DO FOR BOTH WORKERS AND HANDLERS



- **Handler employers must make sure that handlers are trained, as described below, about general pesticide safety and about correct ways to handle pesticides.**
- **Each worker and handler must be trained. This requirement is met if the worker or handler:**
 - has been trained within the last 5 years as a WPS handler or WPS worker, even if he or she has changed employers, *or*
 - is currently a certified applicator of restricted-use pesticides, *or*
 - is currently trained (as specified in EPA's certification and training regulations) as a handler who works under the supervision of a certified pesticide applicator.

Definition of a Handler



- A pesticide handler is anyone who: (1) is employed (including self-employed) for any type of compensation by an agricultural establishment or a commercial pesticide handling establishment that uses pesticides in the production of agricultural plants on a farm, forest, nursery, or greenhouse, and (2) is doing any of the following tasks:

Handler Tasks



- mixing, loading, transferring, or applying pesticides,
- handling opened containers of pesticides,
- acting as a flagger,
- cleaning, handling, adjusting, or repairing the parts of mixing, loading, or application equipment that may contain pesticide residues,
- assisting with the application of pesticides, including incorporating the pesticide into the soil after the application has occurred,

Handler Tasks



- **inhalation exposure level listed on the product labeling has been reached or one of the WPS ventilation criteria have been met to:**
 - operate ventilation equipment,
 - adjust or remove coverings, such as tarps, used in fumigation, or
 - check air concentration levels,

Handler Tasks



- entering a treated area outdoors after application of any soil fumigant to adjust or remove soil coverings, such as tarpaulins,
- performing tasks as a crop advisor:
 - during any pesticide application,
 - before any inhalation exposure level or ventilation criteria listed in the labeling has been reached or one of the WPS ventilation criteria has been met,
 - during any restricted-entry interval,
- disposing of pesticides or pesticide containers

Training



Content of Training



- **The pesticide safety training materials for **workers and handlers must be either:****
- WPS training materials developed by EPA, *or*
- equivalent material that contains at least the concepts listed in Criteria for Worker and Handler Training,
- provide the basic pesticide safety information in a manner that the untrained workers can understand, such as through written materials, oral communication, or other means,
- be able to verify that you provided the workers with the required basic pesticide safety information,

Content of Training



- **provide the workers with at least the following information:**
 - Pesticides may be on or in plants, soil, irrigation water, or drifting from nearby applications.
 - To prevent pesticides from entering your body:
 - Wash before eating, drinking, using chewing gum or tobacco, or using the toilet,
 - Wear work clothing that protects your body from pesticide residues,
 - Wash/shower with soap and water, shampoo hair, and put on clean clothes after work,
 - Wash immediately in the nearest clean water if pesticides are spilled or sprayed on your body and then —as soon as possible — shower, shampoo, and change into clean clothes.

Training



- The person who conducts **handler training** **must:**
 - currently be a certified applicator of restricted-use pesticides (in any category of certification), *or*
 - currently be designated as a trainer of certified pesticide applicators or pesticide handlers by a state, federal, or tribal agency having jurisdiction, *or*
 - have completed a pesticide safety train-the-trainer program approved by a state, federal, or tribal agency having jurisdiction

Training



- Anyone who conducts **worker or handler training must:**
 - use written and/or audiovisual materials,
 - present the training orally or audiovisually,
 - present the information in a manner that the trainees can understand, using a translator, if necessary,
 - respond to trainees' questions.

Who Must be Trained



- **Who Must Be Trained?**
- Each worker and handler must be trained. This requirement is met if the worker or handler:
 - has been trained within the last 5 years as a WPS handler or WPS worker, even if he or she has changed employers, *or*
 - is currently a certified applicator of restricted-use pesticides, *or*
 - is currently trained (as specified in EPA's certification and training regulations) as a handler who works under the supervision of a certified pesticide applicator.

How Soon Must They Be Trained?



- **Handlers must be trained before they do any handling task.**
- **Handlers and workers must be trained at least once every 5 years, counting from the end of the month in which the previous training was completed.**

Who Can Conduct Training?



- 1. The person who conducts **handler training must:**
 - currently be a certified applicator of restricted-use pesticides (in any category of certification),
 - *Or* currently be designated as a trainer of certified pesticide applicators or pesticide handlers by a state, federal, or tribal agency having jurisdiction,
 - *Or* have completed a pesticide safety train-the-trainer program approved by a state, federal, or tribal agency having jurisdiction.

How To Conduct Training



- 1. Anyone who conducts **worker or handler training must:**
 - use written and/or audiovisual materials,
 - present the training orally or audiovisually,
 - present the information in a manner that the trainees can understand, using a translator, if necessary,
 - respond to trainees' questions.

Discrimination



- **Avoiding Discrimination in Hiring**

- Even if you do not normally provide training in the particular language of a job applicant, or if a translator is not readily available, you are not exempted from your training responsibilities under the WPS.
- **Refusing to hire an applicant who cannot understand the language or languages in which you usually provide training may constitute discrimination on the basis of national origin.** Such discrimination is actionable under Title VII of the Civil Rights Act of 1964 or the Immigration Reform and Control Act of 1986 (IRCA). If you want information about your responsibilities under Title VII of the Civil Rights Act of 1964, contact the U.S. Equal Employment Opportunity Commission. For details about IRCA anti-discrimination provisions, contact the Special Counsel for Immigration-Related Unfair Employment Practices, U.S. Department of Justice.

DECONTAMINATION SUPPLIES



- **BASIC RESPONSIBILITIES**

- Handler employers must make sure that decontamination supplies (described below) for washing off pesticides and pesticide residues are provided to handlers while they are doing handling tasks.
- *The WPS requires that decontamination supplies be provided regardless of the number of employees. There is **no exemption for employers with only a few employees.***
- For handlers, decontamination supplies must be provided for the duration of the handling task.

Decontamination Supplies



- Water – enough for
 - routine washing
 - emergency eyeflushing.
 - ✦ *If the water is stored in a tank, the water **must not be used for mixing pesticides, unless the tank is equipped with correctly functioning anti-backsiphoning or check valves or other mechanisms (such as air gaps) that prevent pesticides from moving into the tank.***

Decontamination Supplies



- enough water for washing the entire body in case of emergency, and
- clean change of clothes, such as one-size-fits-all coveralls, to put on if the handlers' garments are contaminated and need to be removed right away.
- All decontamination supplies for workers must be located together and all decontamination supplies for handlers must be located together. Decontamination supplies must be reasonably accessible to the workers and handlers. Handlers mixing pesticides must have decontamination supplies **at the mixing area**

Quantity of Water Needed



- **Handlers:** At least 3 gallons of water is recommended for each handler using the supplies. If you find that 3 gallons per handler is inadequate to last for the entire work period, provide more water or replenish the water as needed during the work period.

Emergency Eye Flushing



- Provide each handler with at least 1 pint of emergency eyeflush water when the pesticide labeling requires protective eyewear for the handling task being performed. The emergency eyeflush water must be immediately accessible. For example, it could be carried by the handler or be on a vehicle the handler is using. The water that is supplied for general decontamination may also be used as eyeflush water, if it is immediately accessible.

Decontamination after Handling Tasks



- At the site where handlers remove their personal protective equipment (PPE), provide:
- soap,
- clean towels, and
- enough water to allow handlers to wash thoroughly after removing PPE.

Employer Information Exchange



- **Employers of commercial pesticide handlers:**
- must make sure that their customer — the operator of the farm, forest, nursery, or greenhouse — knows certain information, described below, about the pesticide before it is applied on the establishment.

Information for Establishment Operators



- the specific location and description of the area(s) on the agricultural establishment that are to be treated with a pesticide,
- time and date the pesticide is scheduled to be applied,
- product name, EPA registration number, and active ingredient(s),
- restricted-entry interval for the pesticide,

Information for Establishment Operators



- whether the pesticide labeling requires both treated-area posting **and oral notification, and**
- any other specific requirements on the pesticide labeling concerning protection
- of workers and other persons during or after application.

Information for Establishment Operators



- **Operators of agricultural establishments must provide the following information to the commercial pesticide handler employer that they hire:**
 - Specific location and description of any areas on the agricultural establishment:
 - that may be treated with a pesticide or be under a restricted-entry interval while the commercial handler will be there, *and*
 - that the commercial handlers may be in (or walk within 1/4 mile of).
 - Restrictions on entering those areas.

Emergency Assistance



- Pesticide handler employers **must provide emergency assistance**, described below, to anyone who is or has been employed as a handler on their farm, forest, nursery, or greenhouse or on their commercial pesticide handling establishment, if there is reason to believe that the handler has been poisoned or injured by a pesticide as a result of that employment — for example, through application, spills, splashes, drift, handling tasks, or contact with pesticide residues.

Specific Duties



- **Emergency Transportation**
 - Promptly make emergency transportation available to take the handler to an *emergency medical facility able to provide treatment*
- **Emergency Information** Provide to the worker or handler or to treating medical personnel, promptly upon *request, any obtainable information on*
 - product name, EPA registration number, and active ingredients for any product(s) to which the person may have been exposed,
 - antidote, first aid, statement of practical treatment and other medical or *emergency information from the product labeling,*
 - description of the way the pesticide was being used,
 - circumstances of the worker's or handler's exposure to the pesticide.

RESTRICTIONS DURING APPLICATIONS AND MONITORING HANDLERS



- **Make sure that:**
 - pesticides do not touch **people, other than appropriately trained and equipped handlers, during pesticide applications, and**
 - **pesticide handlers are monitored, as described below, when handling certain types of pesticides.**

Monitoring Handlers



- Once every 2 hours, someone must check on — by sight or by voice communication — any handler who is handling a pesticide that has a skull and crossbones symbol on its label.
- **Fumigant** - Any pesticide product that is a vapor or gas, or forms a vapor or gas on application, and whose method of pesticidal action is through the gaseous state. The handler must:
 - be trained as a pesticide handler (management plan), and
 - have immediate access to the PPE that the fumigant labeling requires for applicators.

Basic Responsibilities



- **Handler employers must make sure that, before handlers do any handling task, the handlers:**
 - are given information from the pesticide labeling and have access to the labeling itself, and
 - are instructed in the safe operation of the equipment they will be using.
 - **Commercial (custom) handler employers must make sure that, whenever one of their handlers will be doing pesticide handling tasks (including tasks as a crop advisor) on an agricultural establishment, he or she is aware of specific information, described below, concerning pesticide-treated areas on the agricultural establishment.**

Labeling Access and Information



- Inform handlers, in a manner they can understand, about all labeling requirements related to safe use of the pesticide, including at least:
 - the signal word,
 - human hazard statements and precautions,
 - personal protective equipment requirements,
 - first aid instructions,
 - environmental precautions, and
 - any additional precautions about the handling task to be performed.

EQUIPMENT SAFETY



- **Handler employers must make sure that equipment used for mixing, loading, transferring, or applying pesticides (pesticide handling equipment) is inspected and repaired and that persons repairing, cleaning, or adjusting such equipment are protected or informed, as described below.**

Specific Duties



- **Equipment Inspection** - Inspect pesticide handling equipment before each day of use for leaks, clogging, and worn or damaged parts. Repair or replace any damaged equipment.
- **Protections for Persons Maintaining Equipment** - Remove pesticide residues from pesticide handling equipment before anyone other than an appropriately trained and equipped handler is allowed to repair, clean, or adjust it.

Personal Protective Equipment (PPE)



- **Employers must make sure that:**
 - are provided with the PPE the pesticide labeling requires for the task,
 - wear the PPE for the entire handling task, and
 - use the PPE correctly.
- **Provide handlers with clean places away from pesticide storage and pesticide use areas to:**
 - store personal clothing not in use,
 - put on PPE at the start of any exposure period,
 - take off PPE at the end of any exposure period.
- **Take necessary steps for heat stress/illness**

Personal Protective Equipment (PPE)



- **Replace dust/mist respirator filters**
- **Replace gas- and vapor-removing respirator cartridges or canisters**
- **Discard coveralls or other absorbent materials that have been drenched or heavily contaminated with an undiluted pesticide that has the signal word “DANGER” or “WARNING” on the labeling. They must not be reused.**

Resources



- <http://www.epa.gov/agriculture/htc.html>
- **The WPS Quick Reference Guide**
The Quick Reference Guide lists the maximum WPS requirements. Fulfilling these maximum requirements will help you comply with the WPS. The brochure is available in both black/white and color.

Thank You!!

