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WORKER PROTECTION STANDARD UPDATE

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Introduction

The Worker Protection Standard is a Federal regulation designed to protect agricultural workers (people involved in the production of agricultural plants) and pesticide handlers (people involved in mixing, loading or applying pesticides or doing other tasks involving direct contact with pesticides.) The Standard will impact farms, agricultural dealerships, nurseries, forests and greenhouses who hire employees to do tasks related to agricultural plant production.

The Worker Protection Standard goes into effect on April 15, 1994. After this date, applicators that use a pesticide which refers to the Worker Protection Standard on its label, must comply with requirements under the Worker Protection Standard. The employer is responsible for seeing that their employees comply with this new regulation.

The following information is a brief overview of the Worker Protection Standard. The complete details of the Standard are presented in the Federal Register or in the "How to Comply" manual, PAT-12, available from ISU Extension Distribution.

Definitions

Agricultural establishment means any farm, forest, nursery or greenhouse and does not include ag dealerships.

Commercial pesticide handling establishment is an agricultural dealership which employ individuals to apply pesticides on farms or to perform tasks as a crop advisor.

Handlers are individuals employed by farms or agricultural dealerships to:

- mix, load, transfer or apply pesticides
- dispose of pesticides or pesticide containers
• handle open containers of pesticides
• act as a flagger
• clean, adjust, handle or repair the parts of mixing, loading, or application equipment that may contain pesticide residues
• assist with the application of pesticides
• participate in soil fumigation
• act as a crop advisor

Individuals certified as commercial pesticide applicators or handlers under the Iowa Pesticide Act are considered Handlers under the Worker Protection Standard. Individuals who handle pressure or triple rinsed containers are not considered handlers and individuals who only handle unopened pesticide containers are not handlers. Workers are individuals employed to do hand labor tasks such as weeding, planting, cultivation, and harvesting -- or do other tasks involved in the production of agricultural plants, such as detassling. Workers do not apply pesticides or handle pesticide containers or equipment.

Employer Responsibilities for Commercial Applicators and Handlers

Pre-application requirements

Pesticide Safety Training: Before any handler performs a handling task, the handler’s employer must make sure that the handler has been trained according to the Standard. However, a handler who is currently certified as a commercial pesticide applicator or handler under the Iowa Pesticide Act does not need to receive further training.

Pesticide labels: The handler’s employer must make sure that the handler has read the pesticide label or has been informed in a manner that the handler can understand of all labeling requirements related to the safe use of each pesticide. These items include:

• signal words
• human hazard precautions
• personal protective equipment requirements
• first aid instructions
• environmental precautions
• any other necessary precautions

The handler’s employer must make sure that the handler has access to the product labeling information during the time that the handler is working with that pesticide.

Safe Operation of Equipment: Before a handler uses any equipment for pesticide mixing, loading, transferring or applying pesticides, the handler must be instructed in the safe operation of the equipment. The handler’s employer must make sure that before each day of use, this
equipment is inspected for leaks, clogging, and worn or damaged parts and any damaged equipment is repaired or replaced.

Because this equipment might be contaminated with pesticide residues, only handlers are allowed to repair, clean or adjust this equipment unless the following conditions have been met:

• pesticide residues have been removed from the equipment, or
• if pesticide residues cannot be removed then the handler employer must inform the person who cleans, repairs or adjusts the equipment of the potentially harmful effects of exposure to pesticides and of the correct way to handle such equipment.

Pesticide Application Restrictions

1. The handler’s employer and handler will make sure that no pesticide is applied that will contact, either directly or through drift, any worker or other person, other than an appropriately trained and equipped handler. When a handler acts as a flagger for an aerial applicator, it is one example of a situation where a handler would receive pesticide exposure directly or through drift.

2. The handler’s employer will make sure that any handler that is using a pesticide with the skull and crossbones symbol on the pesticide label, is monitored visually or by voice communication every 2 hours.

Site-specific information: Whenever a handler from an agricultural dealership will be applying pesticides on a farm, the handler employer must make sure the handler is aware of any areas on the farm that the handler may be in that may be treated with a pesticide or that may be under a restricted-entry interval while the handler is on the farm. The handler must be provided with the specific location and description of such an area and the restrictions on entering those areas.

Personal Protective Equipment (PPE) Requirements

Handlers must use the clothing and personal protective equipment (PPE) listed on the pesticide label.

Work clothing such as long and short sleeved shirts, long and short pants, shoes and socks are not considered PPE and is exempt from the Worker Protection Standard requirements such as laundering and inspection requirements. Although some pesticide labels may require that such work clothing be worn during some activities.
Personal Protective Equipment are devices and apparel worn to protect the body from contact with pesticides or pesticide residues. PPE includes items such as:

- coveralls
- chemical-resistant suits, gloves, footwear and aprons
- protective eyewear
- respirators

Handler’s employer must:

- provide the handler with PPE that the pesticide label requires
- make sure the handler wears the PPE during the entire task
- make sure the handler uses the PPE correctly

Specific Duties Related to PPE

Under the Worker Protection Standard employers are required to clean, store and maintain or replace personal protective equipment. In addition, handlers must have an area separate from pesticide mixing and storage areas to cleanup at the end of each day.

1. Employers must provide handlers with the appropriate PPE in clean and operating condition.
2. Employers must make sure the handlers wear the PPE correctly & use it according to the manufacturer’s instructions.
3. Employers must make sure to inspect all PPE before each day of use and repair or discard any damaged equipment.
4. Provide handlers with clean places away from pesticide storage and use areas to:
   - store personal clothing not in use,
   - put on PPE at start of the exposure period
   - take off PPE at end of exposure period
5. Take steps to prevent heat illness while PPE is worn. For example, drink plenty of water, take frequent breaks, and rest in a shady area.
6. Do not allow any handler to wear home or take home PPE contaminated with pesticides.

Employers are also responsible for cleaning and maintaining PPE. Employers must:

- Keep pesticide contaminated PPE separate and wash separately.
- Clean PPE before each day of reuse according to instructions.
- Dry and clean PPE before storage
- Store clean PPE separately from personal clothing and away from pesticide contaminated areas
PPE that is contaminated with concentrated pesticides with signal word DANGER or WARNING must be disposed of at a local landfill.

Employers must inform people who clean or launder PPE:

- PPE may be contaminated with pesticides
- potentially harmful effects of pesticides
- how to protect themselves
- how to clean PPE correctly

**Decontamination**

During any handling activity, the handler's employer must provide a decontamination site for washing off pesticides and pesticide residues.

The decontamination site will include enough water for routine washing, for emergency eyewashing and for washing the entire body in case of an emergency. The water must be of quality and temperature that will not cause illness or injury when it contacts the skin or eyes or if it is swallowed. Each site will include soap and single use towels in quantities to meet handler's needs. Each site will include one clean change of clothing, such as coveralls for use in an emergency.

The decontamination site will be accessible and not more than 1/4 mile from the handler during the handling activity. For mixing activities, the decontamination site will be at the mixing site.

At the site where handlers remove their personal protective equipment, employers must provide:

- soap
- clean towels
- enough water to allow handlers to wash thoroughly after removing PPE

**Emergency Assistance**

If there is reason to believe that a handler has been poisoned or injured by exposure to pesticides, the handler's employer must:

1. make transportation available to the handler to an appropriate medical facility
2. provide handler or medical personnel upon request:
   • product name, EPA registration number and active ingredients of any pesticide to which the person might have been exposed
   • antidote, first aid, and other medical information from the product labeling
   • information about the handling activity
   • information about how the handler that was exposed to the pesticide

   **Agricultural Dealer and Farmer Communication**

   The Worker Protection Standard requires that ag dealers notify farmers before applying a pesticide on the farmer's property. This notification allows the farmer to comply with the requirements listed above or provide specific information about pesticide applications to workers and handlers.

   Before the custom application of any pesticide on a farm, the ag dealer must provide the following information to the farmer:

   • specific location and description of the treated area
   • time and date of application
   • product name, EPA registration number, and active ingredient
   • restricted-entry interval
   • whether posting and oral notification are required
   • any other product-specific requirements on the product labeling concerning protection of workers or other persons during or after application

   **Employer Responsibilities for Workers**

1. **Entry Restrictions.** After the application of any pesticide on a farm, the agricultural employer shall not allow or direct any worker to enter or to remain in the treated area before the restricted entry interval has expired. Early entry into a treated area is allowed when the worker wears the personal protective equipment specific on the pesticide label and follows all other requirements on the pesticide labeling regarding early entry. In addition:

   • no hand labor is allowed
   • time in treated areas does not exceed 1-hour in any 24 hour period
   • no entry is allowed for the first 4-hours after application
   • the worker has read the product labeling or been informed in a manner the worker can understand of all labeling requirements related to safe use.
   • all requirements concerning PPE are followed
2. **Notice of applications.** The agricultural employer must notify workers of any pesticide application on the farm:

- pesticide labels may require oral notification and posting of treated areas
- other pesticide labels will require oral notification or posting.

**Posting.** Agricultural employers will use an approved EPA warning sign to post treated fields. The signs must be visible from all usual points of worker entry into the treated area, including at least each access road, each border with any labor camp adjacent to the treated area and each footpath and other walking route that enter the treated area. Treated areas should not be posted earlier than 24 hours before the scheduled application. Signs must remain posted throughout the application and any restricted-entry interval. Signs must be removed within 3 days after application or restricted entry interval expires and before workers enter the field.

**Oral Warnings.** Oral warnings must be provided to workers in a manner that the worker can understand. If a worker will be on the premises during the application, the warning must be given before the application takes place. Otherwise the warning may be given at the beginning of the worker first work period. The warning consists of:

- the location and description of the treated area
- the time during which entry is restricted
- instructions not to enter the treated area until the restricted-entry interval has expired.

The agricultural employer is not required to notify the worker if:

- the worker will not be within 1/4 mile of treated area during the pesticide application or while the restricted entry interval is in effect
- the worker applied the pesticide

3. **Posted pesticide safety information.** When workers are on a farm, and within the last 30 days a pesticide has been applied on the farm or a restricted entry interval has been in effect, the agricultural employer must display the following items:

- approved EPA safety poster that covers these items: how to keep pesticides from entering your body, and that there are federal rules to protect workers and that workers must receive pesticide safety training
- emergency medical care information: the name, address and telephone number of the nearest emergency medical care facility
These items should be displayed in a central location on the farm where workers have access. Ag Dealerships are exempt from this requirement.

4. **Providing Specific Information About Pesticide Applications**
When workers are on a farm and within the last 30 days a pesticide covered by the Standard has been applied or a restricted entry interval has been in effect, the agricultural employer must display the following information:

- location and description of treated area
- product name, EPA registration number, active ingredient
- time and date of application
- restricted entry interval

This information must be displayed in a central location along with a safety poster. Information shall remain in place for 30 days.

5. **Pesticide Safety Training.** Each worker must receive pesticide safety training. This training requirement is discussed at length in the compliance manual. However, a worker who is currently certified as a commercial pesticide applicator or handler under the Iowa Pesticide Act does not need to receive further training.

6. **Decontamination.** If any worker is in an area where a pesticide has been applied or a restricted entry interval has been in effect in the last 30 days, then decontamination sites must be provided. These sites must meet the same requirements as decontamination sites provided for handlers except coveralls are not required.

In addition, emergency assistance must be provided to workers as discussed under the handler section of this program.