

## The Worker Protection Standard – What is it, and how has it Changed in 2016?

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The Worker Protection Standard (WPS) protects farm workers and pesticide handlers from potential hazards associated with pesticides. WPS has specific requirements for hazard communication, safety training, display of information about pesticide applications, restrictions during/after applications, recordkeeping, and provision of personal protective equipment, decontamination supplies, and emergency assistance.

Employers are responsible for following the Standard when using pesticides with WPS labeling in crop production. Livestock pest control, and other non-crop related pesticide use does not fall under WPS. Most of the pesticides used on the farm will have WPS labeling – the reference to WPS can be found in the “Agricultural Use Requirements” box on a pesticide label. The Ohio Department of Agricultural enforces WPS and performs WPS inspections in Ohio.

Farm owners are exempt from many WPS requirements when workers and handlers are family members (spouse, child, sibling, grandparent, grandchild, aunt, uncle, niece, nephew, first cousin, foster- and step-parent, child, or sibling, and in-laws: parent, son, daughter, brother, sister). However, farm owners are not exempt from following restricted entry intervals or other application restrictions on the pesticide label, and must provide the required personal protective equipment to family. Farms that have many workers to harvest and maintain crops are most obviously affected by WPS; however, even a small farm with one non-family worker, as defined under WPS, is subject to the full requirements of the Standard.

WPS defines workers as people who receive compensation for tasks related to harvesting, growing, and maintaining crops. Workers must receive WPS protections if they work during the season when pesticide applications are being made on the farm (*or more accurately, if workers will be within ¼ of pesticide-treated areas anytime within 30 days of expiration of a restricted entry interval (REI)*). These workers would *not* fall under WPS: an employee that harvests Christmas trees more than 30 days after the last REI; an employee that sweeps out barns on the farm. In the latter case, the person does not meet the definition of a WPS worker.

WPS defines handlers as those employed to make or assist with pesticide applications, and more broadly, anyone in direct contact with pesticides (e.g., cleaning equipment with residues). Key protections for handlers are training, personal protective equipment, and access to pesticide labels. Employers of commercial pesticide applicators treating crops also must provide WPS protections to their handlers, and are further required to provide information to farm customers for the protection of the farm labor.

In 2016, WPS was significantly revised. There is a first-time-ever age (18) requirement for pesticide handlers and new recordkeeping requirements. Safety Data Sheets (SDS) now must be posted at the central display location. Workers and handlers must be trained annually, and new employees must be

trained before handling or working in pesticide-treated areas under a REI. Only licensed pesticide applicators or EPA-approved trainers will be able conduct WPS training. (Ohio State University Extension will provide train-the-trainer workshops beginning in 2017).

Under revised WPS, pesticide handlers must suspend application if anyone enters the newly defined *Application Exclusion Zone* (AEZ), even if the zone extends beyond the border of the farm. The AEZ is an area surrounding the application equipment, and will vary from 0' to 100' depending on the type of application; for example, the aerial or air blast application AEZ is 100 feet. When applicators are required by label to use respirators, training, medical evaluation and fit testing are required. The family exemption applies to new requirements listed in the previous paragraph, but there is no exemption to AEZ and respirator rules.

Growers must comply with most of these WPS changes starting in January 2017. The "How to Comply" manual, a key reference for employers, is expected to be available in fall 2016. New WPS training materials will not be available until 2017, so the new training content will not be mandatory until January 2018. For more information on WPS and its revisions, see the WPS website [www2.epa.gov/pesticide-worker-safety/revisions-worker-protection-standard](http://www2.epa.gov/pesticide-worker-safety/revisions-worker-protection-standard) and the Ohio State University Extension Pesticide Safety Education website [pested.osu.edu](http://pested.osu.edu).