

## Highlights of the Worker Protection Standard

In effect since 1992, the U.S. Environmental Protection Agency (EPA) Worker Protection Standard (WPS) is a federal regulation designed to protect agricultural workers. This applies to people involved in the production of agricultural crops and plants, and pesticide handlers (people mixing, loading, or applying pesticides or doing other tasks involving direct contact with pesticides). A complete WPS reference is provided in the revised “How to Comply with the Worker Protection Standard for Agricultural Pesticides: What Employers Need to Know” manual.

### Does WPS apply to your facility?

YES if you:

- Own or manage a farm, nursery, greenhouse or forest where agricultural pesticides are being used in the production of plants for commercial or research purposes AND
- Hire employees who are not immediate family members AND
- Compensate, hire or contract employees to work with plants and/or apply pesticides
- Operate a business in which you (or people you employ) apply agricultural pesticides or perform tasks as a crop advisor for hire

The Pesticide & Fertilizer Management Division (PFMD) of the Minnesota Department of Agriculture (MDA) helps to ensure compliance of federal regulations to protect public safety and the agricultural workforce. WPS defines the following roles as:

#### Agricultural Employer (Ag Employer)

- Also referred to as “agricultural establishment owner” or the “owner,” “grower,” “farm operator” or “customer.” Employers must provide WPS protection to all workers and pesticide handlers on their farm, nursery, greenhouse or in a forest where pesticides are being used
- Employs workers and/or pesticide handlers
- Contracts agricultural workers through a labor contract

### Employers of Commercial Pesticide Handlers

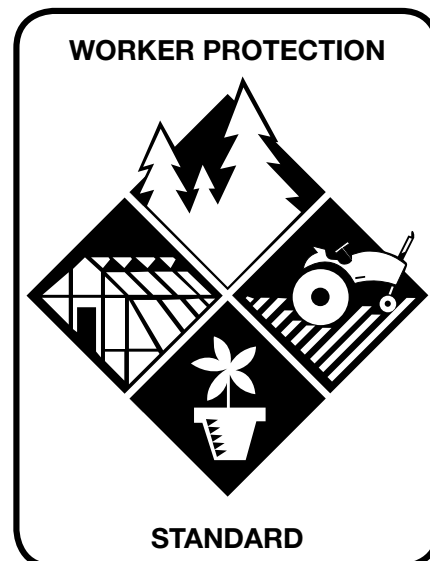
Also referred to as “handler employers,” these entities hire Pesticide Handlers or function as individual self-employed pesticide applicators. The definition of this role includes:

- Commercial applicators and companies that supply crop advisory services on agricultural establishments
- Self-employed Pesticide Handler

### Pesticide Handler

A Pesticide Handler performs the following tasks:

- Applies pesticides (pesticide applicator)
- Mixing, loading or transferring pesticides (mixers and loaders)
- Handling pesticide containers and their disposal
- Repairing, cleaning, adjusting or handling pesticide application equipment



## Agricultural Worker

Any person who is employed and compensated for tasks related to agricultural plant production on farms, nurseries, greenhouses or in forests

### Clarification of Farm Labor and Service Contracts

- The Ag Employer is ultimately responsible for WPS compliance, to keep workers out of treated areas during applications and while the restricted entry interval (REI) is in effect
- The Ag Employer also provides information, personal protective equipment (PPE) and decontamination supplies in the event of pesticide exposure
- Notification needs to take place prior to an application; Ag Employers and Commercial Pesticide Handlers need to arrange this in advance as required by the Employer Information Exchange.

## Employer Information Exchange

Before any application, Commercial Pesticide Handlers must inform the Ag Employer where and when a pesticide application will take place. Details must include:

- Location and description of area to be treated
- Time and date of application
- Product name, EPA registration number, active ingredient(s) and REI
- Whether the product label requires both oral warnings and posting warning signs
- Any other specific worker safety requirements found on the pesticide labeling

Ag Employers must notify workers and ensure that the Pesticide Handler they hire is aware of:

- Location, description and specific restrictions within a quarter (1/4) mile of area being treated
- Length of the REI

## Notification

Under most circumstances, Ag Employers must notify workers about areas being treated or when REI is in effect.

## Notification Requirement

- Unless the pesticide label requires both forms of notification, Ag Employers must notify workers of warning signs at entrances to treated areas either orally or with signage. Posted warning signs must be placed at the entrance of pesticide-treated areas on farms, nurseries, greenhouses and forests.
- In greenhouses, Ag Employers must post signage in all treated areas, except as described below. If specified on the pesticide labeling Ag Employers must inform workers both orally and with posted signs.

## Exceptions to Worker Notification

Oral warnings to workers and posted signage for pesticide-treated areas are not required if:

- Farm, forest or nursery workers will be NOT be present during the application or within a quarter (1/4) mile of the pesticide-treated area, or while REI is in effect.
- Greenhouse workers will not be present during the pesticide application or while REI is in effect

## Oral Warnings to Workers

Oral warnings must be provided to workers in a manner they can understand and must include:

- Location and description of the treated area
- Time during which entry is restricted
- Instructions about not entering the treated area until REI has expired

Before an application takes place, on site workers in the area being treated must receive an oral warning before the pesticide application takes place. Workers that were off site at the time the area is being treated, must receive an oral warning at the beginning of their first work period or whenever REI is in effect.

### Questions?

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