Section 10. Worker Protection Standards (WAC 16-233)

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10.1 Definitions

- HANDLER means any employee involved in the following activities:
  - Mixing, loading, transferring, or applying pesticides
  - Disposing of pesticides or pesticide containers
  - Handling opened containers of pesticides
  - Acting as a flagger
  - Cleaning, adjusting, handling, or repairing the parts of mixing, loading, or application equipment that may contain pesticide residues
  - Entering a greenhouse or other enclosed area during the REI, or before inhalation exposure levels on the label have been met
  - Enters a treated area during the REI

- WORKER means any employee entering a treated area thirty days after the REI has expired

- RESTRICTED ENTRY INTERVAL (REI) means the time after the end of a pesticide application during which entry into the treated area is restricted

10.2 Duties for All Employers

10.2.1 Anti-Retaliation
Do not retaliate against a worker or handler who attempts to comply with the WPS.

10.2.2 Information at a Central Location
In an easily seen central location on each agricultural establishment, display close together:

- EPA WPS safety poster
- Name, address, and telephone number of the nearest emergency medical facility
- These facts about each pesticide application [from before each application begins until 30 days after the restricted-entry interval (REI)]:
  - Product name, EPA registration number, and active ingredients(s)
  - Location and description of treated area
  - Time and date of application, and REI
- Tell workers and handlers where the information is posted, and allow them access.
- Tell them if emergency facility information changes and update the posted information
- Keep the posted information legible

10.2.3 Pesticide Safety Training
Handlers must be trained and certified through a program authorized by the Washington State Department of Agriculture.

Unless they possess a valid EPA-approved training card, train workers before they begin work and at least once every 5 years:
- Use written and/or audiovisual materials
- Use EPA WPS worker training materials for training workers
- Have a certified applicator conduct the training orally and/or audio-visually in a manner the employees can understand, using easily understood terms, and respond to questions

Training shall convey, at a minimum, the following information:

- Where and in what form pesticides may be encountered during work activities
- Hazards of pesticides resulting from toxicity and exposure, including acute and chronic effects, delayed effects and sensitization.
- Routes through which pesticides can enter the body, including information on wearing work clothing that protects the body from pesticide residues.
- Signs and symptoms of common types of pesticide poisonings
- Emergency first aid for pesticide injuries or poisonings.
- How to obtain emergency care.
- Routine and emergency decontamination procedures, including preventing pesticides from entering the body by: emergency eye flushing techniques; washing work clothes separately from other clothes before wearing them again; wearing long sleeved shirts and long pants to prevent skin contact with treated materials; washing before eating, drinking, using chewing gum or tobacco or using the toilet; washing/showering with soap and water, shampooing hair, and putting on clean clothes after work; and washing immediately in the nearest clean water if pesticides are spilled on the body. As soon as possible shower, shampoo, and change into clean clothes.
- Hazards from chemigation and drift.
- Hazards from pesticide residues on clothing.
- Warnings about taking pesticides or pesticide containers home.
- Requirements designed to reduce the risks of illness or injury resulting from workers’ occupational exposure to pesticides, including application and entry restrictions, the design of the warning signs, oral warnings, the availability of specific information about applications, and protection against retaliatory acts.

10.2.4 Decontamination Sites
- Establish a decontamination site within 1/4 mile of all workers and handlers and at each mixing/loading station. Supply:
  - Sufficient water for routine and emergency whole-body washing and for eye flushing. For handler and REI activities at least 10 gallons must be supplied for one person or 20 gallons for two or more people.
  - Plenty of soap and single-use towels.
  - A clean coverall.
- A plumbed or portable eyewash capable of delivering 0.4 gallons/minute for 15 minutes shall be provided at all pesticide mixing and loading stations or handler decontamination sites when the label requires protective eyewear.

- Provide water that is safe and cool enough for washing, for eye flushing, and for drinking. Do not use tank-stored water that is also used for mixing pesticides.

- Provide handlers the same supplies where personal protective equipment (PPE) is removed at the end of the task.

- Provide the same supplies at each mixing and loading site.

- While mixing, loading, applying pesticides or entering a treated area during the REI, each person must have at least one pint of eyewash solution immediately available to them if the labeling requires protective eyewear.

- Do not put worker decontamination sites in areas being treated or under an REI.

- In areas being treated, put decontamination supplies for handlers in enclosed containers.

**10.2.5 Employer Information Exchange**

- Before any application, commercial handler employers must make sure the operator of the agricultural establishment where a pesticide will be applied is aware of:
  - 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 treated area posting.
  - All other safety requirements on labeling for workers or other people.

- Operators of agricultural establishments must make sure any commercial pesticide establishment operator they hire is aware of:
  - Specific location and description of all areas on the agricultural establishment where pesticides will be applied or where an REI will be in effect while the commercial handler is on the establishment.
  - Restrictions on entering those areas.

**10.2.6 Emergency Assistance**

When any handler or worker may have been poisoned or injured by pesticides:

- Promptly make transportation available to an appropriate medical facility.

- Promptly provide to the victim and to medical personnel:
  - Product name, EPA registration number, and active ingredient(s).
  - All first aid and medical information from label.
  - Description of how the pesticide was used.
  - Information about victim’s exposure.
10.3 Additional Duties for Worker Employers

10.3.1 Restrictions during Applications
- In areas being treated with pesticides, allow entry only to appropriately trained and equipped handlers.
- Keep nursery workers at least 100 feet away from nursery areas being treated.
- Allow only handlers to be in a greenhouse:
  - During a pesticide application
  - Until labeling-listed air concentration level is met, or, if no such level, until after 2 hours of ventilation with fans.

10.3.2 Restricted-Entry Intervals (REIs)
During any REI, do not allow workers to enter a treated area or contact anything treated with the pesticide to which the REI applies, unless the following provisions are met:
- A worker may enter a treated area if they have no contact with anything that has been treated with the pesticide to which the REI applies, including, but not limited to, soil, water, air, or surfaces of plants; and no such entry is allowed until any inhalation exposure level listed in the labeling has been reached.
- A worker may enter a treated area during an REI for short short-term activities if the agricultural employer assures that the following requirements are met:
  - No hand labor is performed. Hand labor is defined as an activity that might cause a worker to have substantial contact with treated surfaces. Irrigation and leaf sampling are two activities that would be allowed under this provision.
  - The time in treated areas under a REI for any worker does not exceed one hour in any 24-hour period.
  - No such entry is allowed for the first 4 hours following the end of an application, and no such entry is allowed thereafter until any inhalation exposure level listed in the labeling has been reached.
  - The personal protective equipment specified on the product labeling for early entry is provided to the worker.

10.3.3 Notice about Applications
- Orally warn workers and post treated areas if the pesticide labeling requires.
- Otherwise, either orally warn workers or post entrances to treated areas. Tell workers which method is in effect.
- Post all greenhouse applications.

10.3.4 Posted Warning Signs:
- Post legible 14” x 16” WPS-design signs just before application; keep posted during REI; remove before workers enter and within 3 days after the end of the REI.
- Post signs so they can be seen at all entrances to treated areas, including entrances from labor camps.
10.3.5 Oral Warnings:
- Before each application, tell workers who are on the establishment (in a manner they can understand):
  - Location and description of treated area.
  - REI, and not to enter during REI.
- Workers who enter the establishment after application starts must receive the same warning at the start of their work period.

10.4 Additional Duties for Handler Employers

10.4.1 Application Restrictions and Monitoring
- Do not allow handlers to apply a pesticide so that it contacts, directly or through drift, anyone other than trained and PPE-equipped handlers.
- Make sight or voice contact at least every 2 hours with anyone handling pesticides labeled with a skull and crossbones.
- Make sure a trained handler equipped with labeling-specified PPE maintains constant voice or visual contact with any handler in a greenhouse who is doing fumigant-related tasks, such as application or air-level monitoring.

10.4.2 Specific Instructions for Handlers
- Before handlers do any handling task, inform them, in a manner they can understand, of all pesticide labeling instruction for safe use.
- Keep pesticide labeling accessible to each handler during entire handling task.
- Before handlers use any assigned handling equipment, tell them how to use it safely.
- When commercial handlers will be on an agricultural establishment, inform them beforehand of:
  - Areas on the establishment where pesticides will be applied or where an REI will be in effect.
  - Restrictions on entering those areas. (The agricultural establishment operator must give you these facts.)

10.4.3 Equipment Safety
- Inspect pesticide-handling equipment before each use for leaks, clogging, worn or damaged parts, and repair or replace as needed.
- Allow only appropriately trained and equipped handlers to repair, clean, or adjust pesticide equipment that contains pesticides or residues.

10.4.4 Personal Protective Equipment (PPE) Duties Related to PPE:
- Provide handlers with the PPE the pesticide labeling requires for the task, and ensure it is:
  - Clean and in operating condition.
  - Worn and used correctly.
- Inspected before each day of use.
- Repaired or replaced as needed.

- Be sure respirators fit correctly.
- Take steps to avoid heat illness.
- Provide handlers a pesticide-free area for:
  - Storing personal clothing not in use.
  - Putting on PPE at start of task.
  - Taking off PPE at end of task.
- Do not allow used PPE to be worn home or taken home.

### 10.4.5 Care of PPE
- Store and wash used PPE separately from other clothing and laundry.
- If PPE will be reused, clean it before each day of reuse according to the instructions from the PPE manufacturer unless the pesticide labeling specifies other requirements. If there are no other instructions, wash in detergent and hot water.
- Dry the clean PPE before storing or hang to dry.
- Store clean PPE away from other clothing and away from pesticide areas.

### 10.4.6 Replacing Respirator Purifying Elements
NOTE: A ENVIRONMENTAL HEALTH AND SAFETY HAZARD ASSESSOR MUST DESIGNATE APPROPRIATE CARTRIDGES AND THEIR REPLACEMENT INTERVALS

- Replace dust/mist filters:
  - When breathing becomes difficult.
  - When filter is damaged or torn.
  - When respirator label or pesticide label requires (whichever is shorter), OR
  - At the end of day’s work period, in the absence of any other instructions or indications.

- Replace vapor-removing cartridges/canisters:
  - When odor/taste/irritation is noticed.
  - When respirator label or pesticide label requires (whichever is shorter) OR
  - At the end of day’s work period, in the absence of any other instructions or indications.
10.4.7 Disposal of PPE
- Discard coveralls and other absorbent materials that are heavily contaminated with undiluted pesticide having a DANGER or WARNING signal word.
- Follow federal, state, and local laws when disposing of PPE that cannot be cleaned correctly.

10.4.8 Instructions for People who Clean PPE
Inform people who clean or launder PPE:
- That PPE may be contaminated with pesticides.
- Of the potentially harmful effects of exposure to pesticides.
- How to protect themselves when handling PPE.
- How to clean PPE correctly.

10.5 Cholinesterase Monitoring (WAC 296-307-148)

10.5.1 Employer Responsibility
To implement a monitoring program for your employees who, as part of their job duties, handle category I or II organophosphate or N-methyl-carbamate pesticides with the words "DANGER" or "WARNING" on the label.

10.5.2 Definition
The terms handle and handler refer to employees who are engaged in the job duties listed in the definition of "handler" contained in WAC 296-307-11005, Pesticides (worker protection standard).

10.5.3 Medical Services
IMPORTANT
Whenever there is reason to believe that an employee has been poisoned or injured by exposure to pesticides while on the job, you need to provide the medical services required by WAC 296-307-13055.

10.5.4 Monitoring Requirements
- Maintain handling records for covered pesticides WAC 296-307-14805.
- Implement a medical monitoring program WAC 296-307-14810.
- Identify a physician or licensed health care professional WAC 296-307-14815.
- Make cholinesterase testing available WAC 296-307-14820.
- Respond to depressed cholinesterase levels WAC 296-307-14825.
- Maintain records WAC 296-307-14835.
- Provide training WAC 296-307-14840.
- Implementation plan WAC 296-307-14845.