

# Understanding the New WPS



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**Farm Worker Protection  
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## **WPS Dates to Remember**

**September 28, 2015 - Revision released**

**January 2016 – Revision becomes effective**

**January 2017 – Most changes will be enforced**

**January 2018 – Last 3 changes become effective**

# The WPS Window

The WPS window is when it has been less than 30 days since the last pesticide REI has expired and WPS must be followed on an agricultural operation.

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# Employee

Any type of worker or Handler who does work in exchange for salary or wages.

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# Family Exemption Expanded

- Up until now the family exemption covered owners, spouses, siblings, children, step children, foster children, parents, step parents and foster parents.
- Now expanded to also include: in-laws, 1<sup>st</sup> cousins, aunts, uncles, nephews, nieces grandchildren and grandparents.

# Family Exemption

- Does NOT exclude family from using label required PPE
- Does NOT exclude family from following the REIs

# Central Location Changes

**PROTECT YOURSELF FROM PESTICIDES**  
**PROTEJASE DE LOS PESTICIDAS**

Pesticides may be on plants and soil, in irrigation water, or drifting from nearby applications.  
Los pesticidas pueden estar en las plantas o en el suelo, en el agua de riego o arrastrados por el viento cuando se aplican en otra.

**IN AN EMERGENCY IN UNA EMERGENCIA**

**EPA**  
National Pesticide Environmental Review Board, Agriculture  
4001 Reservoir Road, Suite 400  
Washington, DC 20007  
Phone: 800-455-7267  
404-762-0100

For more information on pesticides call 1-800-455-7267 or visit [www.epa.gov/pesticides](http://www.epa.gov/pesticides)

Para más información en pesticidas llame 1-800-455-7267 o visite [www.epa.gov/pesticides](http://www.epa.gov/pesticides)

**WORLDWIDE PESTICIDE SAFETY**

1-800-455-7267  
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# Training Changes

**PROTECT YOURSELF FROM PESTICIDES**  
**PROTEJASE DE LOS PESTICIDAS**

Pesticides may be on plants and soil, in irrigation water, or drifting from nearby applications.

Los pesticidas pueden estar en las plantas, el suelo, en el agua de riego o arrastrados por el viento durante las aplicaciones.

**IN AN EMERGENCY**  
**EN UNA EMERGENCIA**

**EPA**  
United States Environmental Protection Agency  
401 M Street, N.W., Washington, D.C. 20460  
1-800-455-6243

For more information or materials in Spanish, contact us at 1-800-455-6243.

Para más información o materiales en español, contacta con nosotros al 1-800-455-6243.



# Pesticide Records

- Pesticide application records for applications in the past 30 days (plus REI) must be posted at the central location available to Workers and Handlers.
- Those records must then be maintained for two more years for WPS and three years for Pennsylvania pesticide law.

# The SDS Sheet

- When you apply a pesticide post the Safety Data Sheet (SDS) at the central information location & leave it there for 30 days after the end of the REI.
- Keep SDS sheets on file for 2 years after use.

# What is the SDS Sheet?

- The SDS sheet is a reformatted MSDS sheet
- It follows a standard format and is easier to read than the old MSDS sheets & the pesticide labels.
- The medical community is more familiar with the SDS sheet than pesticide labels.
- ***If someone needs to go for medical help send the SDS sheet now, NOT the pesticide label.***

# Remember!

Central information locations must be located in places that are accessible to employees.

# Training Changes

- No more grace period.
- Annual training
- Expanded training material – by January 2018
- Documentation of training

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# Training Documentation

- Employee's name
- Employee's signature
- Date of training
- Employers name
- Trainers name
- Trainers qualifications – PA certification number
- EPA approved materials used
- Copy of documentation upon employee's request

# Training Exceptions

- Immediate family
- Employees that have had documented training elsewhere that year
- Employees with current Pennsylvania pesticide certification
- In training exceptions on site training **still** needed to show where central location and decontamination supplies are located.

# Decontamination Supplies

- Handlers – 3 gallons potable water, paper towels and soap
- Supplies must be located by mix and load site
- Located within a quarter mile of application area
- At site where PPE is removed

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# Use of Natural Waters

In case of an emergency if natural waters are closer Workers and Handlers can use those BUT this does NOT exempt the need to provide the normal amounts of decontamination supplies.

# Handler Eye Wash System

- Must be located at Mix and Load site
- Capable of delivering 0.4 gallons per minute for 15 minutes OR 6 gallons of water able to flow gently for 15 minutes.

# Applicator Notification

- Any pesticides applied outdoors with an REI of greater than 48 hours must have “Do Not Enter” signs posted.
- For enclosed spaces any REI of greater than 4 hours must be posted
- Check labels of other products with lower REIs as they might require posting

# Minimum Age

Both Handlers and Early Entry workers must be at least 18 years old except for immediate family.

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# Need WPS Help

- Call Jim Harvey to schedule a FREE compliance Assistance visit or email Jim at [jd18@psu.edu](mailto:jd18@psu.edu)
- A typical visit takes an hour and is the best way to ensure that you understand this regulation.

# Application Exclusion Zone

- High drift potential applications need a 100 foot exclusion zone “bubble”
- Lower drift potential applications need 25 foot “bubble”
- Enforced by 2018 – refer to pesticide label
- Bubble moves with applicator.
- Bubble extends onto roads & neighbor properties

# Pilot PPE exception

- If product label requires eye protection, pilots in open cockpits may wear a helmet with a lowered face shield instead of label required eye protection.
- Gloves are optional when entering and leaving aircraft unless required by product label

# Closed Systems

- Enclosed cabbled tractors still allow a reduction in PPE in accordance with the label
- Except for label required respirator

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# Employee Designated Representative

- Employee may request information verbally or in writing.
- Employee may designate a representative to request this information but it must be in writing.
- Written request must have certain information in request:
- Employer must respond in writing within 15 days.

# Written Request from Designee

- Description of specific information requested
- Must include employee employment dates
- Dates of records requested
- Type of work done by employee
- Statement from employee designating representative
- Date of designation
- Printed name and contact info for representative

# 2018 Enforceable Changes

- Expanded training materials
- Central Location poster
- Application Exclusion Zone

# Emergency Assistance

- Employer is responsible to get employee to an emergency medical facility promptly after a pesticide injury or poisoning.
- Think of 30 minutes within learning of incident.



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