

APPENDIX B

WORKER PROTECTION STANDARD CRITERIA

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An updated pesticide safety information display poster and updated worker and handler training content will be developed before January 2, 2018.

CRITERIA FOR PESTICIDE SAFETY INFORMATION DISPLAY

Pesticide safety information can be either the WPS safety information poster developed by EPA, or an equivalent way of providing information on the following safety concepts. Agricultural employers may use the EPA safety posters or display the information in an alternate format that complies with the WPS requirements.

Before January 2, 2018, the pesticide safety information consistent with the 2005 WPS does not change. The content of the safety information may contain either the information consistent with the current EPA pesticide safety poster based on the 1995 WPS or the information required by the 2015 WPS revision.

After January 2, 2018, the pesticide safety information must include all of the points listed below:

- Avoid getting on the skin or into the body any pesticides that may be on or in plants, soil, irrigation water, tractors, and other equipment, on used personal protective equipment, or drifting from nearby applications.
- Wash before eating, drinking, using chewing gum or tobacco, or using the toilet.
- Wear work clothing that protects the body from pesticide residues (long-sleeved shirts, long pants, shoes and socks, and a hat or scarf).
- Wash or shower with soap and water, shampoo hair, and put on clean clothes after work.
- Wash work clothes separately from other clothes before wearing them again.
- If pesticides are spilled or sprayed on the body use decontamination supplies to wash immediately, or rinse off in the nearest clean water, including springs, streams, lakes or other sources if more readily available than decontamination supplies, and as soon as possible, wash or shower with soap and water, shampoo hair, and change into clean clothes.
- Follow directions about keeping out of treated areas and application exclusion zones.
- Instructions to employees to seek medical attention as soon as possible if they believe they have been poisoned, injured, or made ill by pesticides.
- The name, address, and telephone number of a nearby operating medical care facility capable of providing emergency medical treatment. This information must be clearly identified as emergency medical contact information on the display.
- The name, address, and telephone number of the state or tribal pesticide regulatory agency.

CRITERIA TO QUALIFY AS A WPS TRAINER

The person who conducts worker training must:

- Currently be certified as an applicator of restricted-use pesticides (in any category of certification), or
- Currently be designated as a trainer of certified pesticide applicators, handlers or workers, by the EPA, or a State or Tribal agency responsible for pesticide enforcement, or
- Have completed an EPA-approved pesticide safety train-the-trainer program for trainers of workers.

WPS trained handlers may **NOT** train workers unless they meet one of these qualifications for conducting worker training.

The person who conducts handler training must:

- Currently be certified as an applicator of restricted-use pesticides (in any category of certification), or
- Currently be designated as a trainer of certified pesticide applicators or handlers by EPA, or a State or Tribal agency responsible for pesticide enforcement, or
- Have completed an EPA-approved pesticide safety train-the-trainer program for trainers of handlers.

CRITERIA FOR WORKER TRAINING

As of January 2, 2017, all WPS training materials must be approved by EPA. WPS training materials produced by EPA will bear the official EPA logo and have an EPA publication number. WPS training materials that have been developed by others and approved by EPA will bear an EPA approval number and an EPA statement of approval for use in WPS training.

Until January 2, 2018: WPS training materials for workers must include at least the following information:

1. Where and in what form pesticides may be encountered during work activities.
2. Hazards of pesticides resulting from toxicity and exposure, including acute effects, chronic effects, delayed effects, and sensitization.
3. Routes through which pesticides can enter the body.
4. Signs and symptoms of common types of pesticide poisoning.
5. Emergency first aid for pesticide injuries or poisonings.
6. How to obtain emergency medical care.
7. Routine and emergency decontamination procedures, including emergency eyeflushing techniques.
8. Hazards from chemigation and drift.
9. Hazards from pesticide residues on clothing.
10. Warnings about taking pesticides or pesticide containers home.
11. An explanation of the WPS requirements designed to protect workers, including application and entry restrictions, design of the warning sign, posting of warning signs, oral warnings, availability of specific information about applications, and protection against retaliatory acts.

After January 2, 2018 (or six months after EPA announces the availability of training materials but not earlier than January 2, 2018) the content of worker training materials must be approved by EPA and must include, at a minimum, all of the following topics:

1. The responsibility of agricultural employers to provide workers and handlers with information and protections designed to reduce work-related pesticide exposures and illnesses. This includes:
 - Ensuring workers and handlers have been trained on pesticide safety,
 - Providing pesticide safety and application and hazard information, decontamination supplies and emergency medical assistance,
 - Notifying workers of restrictions during applications and on entering pesticide treated areas, and
 - Informing a worker or handler that they may designate in writing a representative to request access to pesticide application and hazard information.
2. How to recognize and understand the meaning of the posted warning signs used for notifying workers of restrictions on entering pesticide treated areas on the establishment.
3. How to follow directions and/or signs about keeping out of pesticide treated areas subject to a REI and application exclusion zones.
4. Where and in what forms pesticides may be encountered during work activities, and potential sources of pesticide exposure on the agricultural establishment. This includes exposure to pesticide residues that may be on or in plants, soil, tractors, application and chemigation equipment, or used PPE, and that pesticides may drift through the air from nearby applications or be in irrigation water.
5. Potential hazards from toxicity and exposure that pesticides present to workers and their families, including acute and chronic effects, delayed effects, and sensitization.
6. Routes through which pesticides can enter the body.
7. Signs and symptoms of common types of pesticide poisoning.
8. Emergency first aid for pesticide injuries or poisonings.
9. Routine and emergency decontamination procedures, including emergency eye flushing techniques, and if pesticides are spilled or sprayed on the body to use decontamination supplies to wash immediately or rinse off in the nearest clean water, including springs, streams, lakes or other sources if more readily available than decontamination supplies, and as soon as possible, wash or shower with soap and water, shampoo hair, and change into clean clothes.

10. How and when to obtain emergency medical care.
11. When working in pesticide treated areas, wear work clothing that protects the body from pesticide residues and wash hands before eating, drinking, using chewing gum or tobacco, or using the toilet.
12. Wash or shower with soap and water, shampoo hair, and change into clean clothes as soon as possible after working in pesticide treated areas.
13. Potential hazards from pesticide residues on clothing.
14. Wash work clothes before wearing them again and wash them separately from other clothes.
15. Do not take pesticides or pesticide containers used at work to your home.
16. Safety data sheets provide hazard, emergency medical treatment and other information about the pesticides used on the establishment they may come in contact with. The responsibility of agricultural employers to do all of the following:
 - Display safety data sheets for all pesticides used on the establishment.
 - Provide workers and handlers information about the location of the safety data sheets on the establishment.
 - Provide workers and handlers unimpeded access to safety data sheets during normal work hours.
17. The rule prohibits agricultural employers from allowing or directing any worker to mix, load or apply pesticides or assist in the application of pesticides unless the worker has been trained as a handler.
18. The responsibility of agricultural employers to provide specific information to workers before directing them to perform early-entry activities. Workers must be 18 years old to perform early-entry activities.
19. Potential hazards to children and pregnant women from pesticide exposure.
20. Keep children and nonworking family members away from pesticide treated areas.
21. After working in pesticide treated areas, remove work boots or shoes before entering your home, and remove work clothes and wash or shower before physical contact with children or family members.
22. How to report suspected pesticide use violations to the State or Tribal agency responsible for pesticide enforcement.
23. The rule prohibits agricultural employers from intimidating, threatening, coercing, or discriminating against any worker or handler for complying with or attempting to comply with the requirements of this rule, or because the worker or handler provided, caused to be provided or is about to provide information to the employer or the EPA or its agents regarding conduct that the employee reasonably believes violates this part, and/or made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing concerning compliance with this rule.

CRITERIA FOR HANDLER TRAINING

As of January 2, 2017, all WPS training materials must be approved by EPA. WPS training materials produced by EPA will bear the official EPA logo and have an EPA publication number. WPS training materials that have been developed by others and approved by EPA will bear an EPA approval number and an EPA statement of approval for use for WPS training.

Until January 2, 2018: WPS training materials for handlers must include at least the following information:

1. Format and meaning of information on pesticide labels and in labeling, including safety information such as precautionary statements about human health hazards.
2. Hazards of pesticides resulting from toxicity and exposure, including acute effects, chronic effects, delayed effects, and sensitization.
3. Routes through which pesticides can enter the body.
4. Signs and symptoms of common types of pesticide poisoning.
5. Emergency first aid for pesticide injuries or poisonings.
6. How to obtain emergency medical care.
7. Routine and emergency decontamination procedures, including emergency eyeflushing techniques.
8. Need for and appropriate use of personal protective equipment.
9. Prevention, recognition, and first aid treatment of heat-related illness.
10. Safety requirements for handling, transporting, storing, and disposing of pesticides, including general procedures for spill cleanup.
11. Environmental concerns such as drift, runoff, and wildlife hazards.
12. Warnings about taking pesticides or pesticide containers home.
13. An explanation of WPS requirements that handler employers must follow for the protection of handlers and others, including the prohibition against applying pesticides in a manner that will cause contact with workers or other persons, the requirement to use personal protective equipment, the provisions for training and decontamination, and the protection against retaliatory acts.

After January 2, 2018 (or six months after EPA announces the availability of training materials but not earlier than January 2, 2018) the content of handler training materials must be approved by EPA and must include, at a minimum, all of the following topics:

1. The responsibility of agricultural employers to provide workers and handlers with information and protections designed to reduce work-related pesticide exposures and illnesses. This includes:
 - Ensuring workers and handlers have been trained on pesticide safety,
 - Providing pesticide safety and application and hazard information,
 - Providing decontamination supplies and emergency medical assistance,
 - Notifying workers of restrictions during applications and on entering pesticide treated areas, and
 - Informing workers or handlers that they may designate, in writing, a representative to request access to pesticide application and hazard information.

2. How to recognize and understand the meaning of the posted warning signs used for notifying workers of restrictions on entering pesticide treated areas on the establishment.
3. How to follow directions and/or signs about keeping out of pesticide treated areas subject to a REI and application exclusion zones (AEZ).
4. Where and in what forms pesticides may be encountered during work activities, and potential sources of pesticide exposure on the agricultural establishment. This includes exposure to pesticide residues that may be on or in plants, soil, tractors, application and chemigation equipment, or used PPE, and that pesticides may drift through the air from nearby applications or be in irrigation water.
5. Potential hazards from toxicity and exposure that pesticides present to workers, handlers and their families, including acute and chronic effects, delayed effects, and sensitization.
6. Routes through which pesticides can enter the body.
7. Signs and symptoms of common types of pesticide poisoning.
8. Emergency first aid for pesticide injuries or poisonings.
9. Routine and emergency decontamination procedures, including emergency eye flushing techniques, and if pesticides are spilled or sprayed on the body to use decontamination supplies to wash immediately or rinse off in the nearest clean water, including springs, streams, lakes or other sources if more readily available than decontamination supplies, and as soon as possible, wash or shower with soap and water, shampoo hair, and change into clean clothes.
10. How and when to obtain emergency medical care.
11. When working in pesticide treated areas, wear work clothing that protects the body from pesticide residues and wash hands before eating, drinking, using chewing gum or tobacco, or using the toilet.
12. Wash or shower with soap and water, shampoo hair, and change into clean clothes as soon as possible after working in pesticide treated areas.
13. Potential hazards from pesticide residues on clothing.
14. Wash work clothes before wearing them again and wash them separately from other clothes.
15. Do not take pesticides or pesticide containers used at work to your home.
16. Safety data sheets provide hazard, emergency medical treatment and other information about the pesticides used on the establishment they may come in contact with. It is the responsibility of agricultural employers to do all of the following:
 - Display safety data sheets (SDS) for all pesticides used on the establishment.
 - Provide workers and handlers information about the location of the SDS on the establishment.
 - Provide workers and handlers unimpeded access to SDS during normal work hours.
17. The rule prohibits agricultural employers from allowing or directing any worker to mix, load or apply pesticides or assist in the application of pesticides unless the worker has been trained as a handler.
18. The responsibility of agricultural employers to provide specific information to workers before directing them to perform early-entry activities. Workers must be 18 years old to perform early-entry activities.

19. Potential hazards to children and pregnant women from pesticide exposure.
20. Keep children and nonworking family members away from pesticide treated areas.
21. After working in pesticide treated areas, remove work boots or shoes before entering your home, and remove work clothes and wash or shower before physical contact with children or family members.
22. How to report suspected pesticide use violations to the State or Tribal agency responsible for pesticide enforcement.
23. The rule prohibits agricultural employers from intimidating, threatening, coercing, or discriminating against any worker or handler for complying with or attempting to comply with the requirements of this rule, or because the worker or handler provided, caused to be provided or is about to provide information to the employer or the EPA or its agents regarding conduct that the employee reasonably believes violates this part, and/or made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing concerning compliance with this rule.
24. Information on proper application and use of pesticides.
25. Handlers must follow the portions of the labeling applicable to the safe use of the pesticide.
26. Format and meaning of information contained on pesticide labels and in labeling applicable to the safe use of the pesticide.
27. Need for and appropriate use and removal of all PPE.
28. How to recognize, prevent, and provide first aid treatment for heat-related illness.
29. Safety requirements for handling, transporting, storing, and disposing of pesticides, including general procedures for spill cleanup.
30. Environmental concerns, such as drift, runoff, and wildlife hazards.
31. Handlers must not apply pesticides in a manner that results in contact with workers or other persons.
32. The responsibility of handler employers to provide handlers with information and protections designed to reduce work-related pesticide exposures and illnesses. This includes:
 - Providing, cleaning, maintaining, storing, and ensuring proper use of all required PPE,
 - Providing decontamination supplies, and
 - Providing specific information about pesticide use and labeling information.
33. Handlers must suspend a pesticide application if workers or other persons are in the application exclusion zone (AEZ).
34. Handlers must be at least 18 years old.
35. The responsibility of handler employers to ensure handlers have received respirator fit-testing, training and medical evaluation if they are required to wear a respirator by the product labeling.
36. The responsibility of agricultural employers to post treated areas as required by this rule.

CRITERIA FOR WPS TRAIN-THE-TRAINER PROGRAMS

Persons seeking to become trainers of workers and handlers must be qualified to train. One way to qualify is by completing an EPA approved train-the-trainer (TTT) program. This requirement becomes effective on January 2, 2017.

EPA has prepared a comprehensive guidance document to facilitate the development of WPS train-the-trainer programs that meet EPA requirements. A few of the key points are presented below.

How to request EPA's approval of a WPS TTT program: You may request approval for a train-the-trainer program by email. The email submission to EPA should include:

- The requester's name, affiliation, contact information (email, telephone number),
- The materials in English,
- Whether the program covers trainers of workers, handlers, or both,
- Method of delivery (in-person, online, audiovisual, other media),
- Non-English language translations planned & how translation will be verified as accurate, and
- If documentation of trainer's successful completion of the course will be provided, list the contents and, if possible, provide an example form.

All submissions should be sent electronically by email to all of the following:

- Kathy Davis, at davis.kathy@epa.gov
- Jeanne Kasai at kasai.jeanne@epa.gov
- EPA Regional WPS Coordinator

Format: The materials should be in an electronic draft form to allow for editing based on EPA comments.

Language: The materials should be submitted in English.

Training content: The materials should provide instruction on providing training that covers the worker training content (170.401(c)(3)(i)-(xxiii)) and/or handler training content (170.501(c)(3)(i)-(xiv)) required by the rule as published on November 2, 2015.

Specific guidance is available on the website at:

<https://www.epa.gov/pesticide-worker-safety/worker-protection-standard-train-trainer-programs-approval-process-and>

MEDICAL RECOMMENDATION AND RECORDKEEPING FOR RESPIRATORS

In determining the employee's ability to use a respirator, the handler employer must obtain a written recommendation regarding the employee's ability to use the respirator from the physician or other licensed health care professional (PLHCP).

The recommendation must provide only the following information:

1. Any limitations on respirator use related to the medical condition of the employee, or relating to the workplace conditions in which the respirator will be used, including whether or not the employee is medically able to use the respirator;
2. The need, if any, for follow-up medical evaluations; and
3. Verification that the PLHCP has provided the employee with a copy of the PLHCP's written recommendation.

A copy of this medical recommendation from the PLHCP fulfills the required WPS record of the medical evaluation. Maintain the copy of the written determination (medical release) for at least 2 years, or until a subsequent medical evaluation is conducted.

The employer should not see or have a copy of the handler's medical evaluation questionnaire, which contains private medical information.

OSHA-ACCEPTED RESPIRATOR FIT TESTING PROCEDURES

The OSHA-accepted fit testing procedures are taken directly from the OSHA regulations and due to the length of the document, the procedures in their entirety may be found on the OSHA website at: www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=9780

RESPIRATOR TRAINING CRITERIA REQUIRED BY WPS

The handler employer must ensure each handler can demonstrate knowledge of at least the following:

1. Why the respirator is necessary and how improper fit, usage, or maintenance can compromise the protective effect of the respirator;
2. What the limitations and capabilities of the respirator are;
3. How to use the respirator effectively in emergency situations, including situations in which the respirator malfunctions;
4. How to inspect, put on and remove, use, and check the seals of the respirator;
5. What the procedures are for maintenance and storage of the respirator; and
6. How to recognize medical signs and symptoms that may limit or prevent the effective use of respirators.