

## WSDA continues to cite Worker Protection Standard violations

Even though the Worker Protection Standard (WPS) has been in effect for over a decade, the Washington State Department of Agriculture (WSDA) continues to experience a general lack of compliance. Although violations are occurring in many aspects of WPS, they are especially pronounced in three key areas – employee training, access to decontamination supplies and a complete central notification board. Over 50% of growers inspected are out of compliance with these three requirements.

Why should you care? Number one, all three are legal requirements that are being actively enforced by WSDA and the Department of Labor & Industries. In past years, WSDA’s practice was to only issue fines for repeat WPS violations. However, as we move into the next growing season, WSDA will take a harder look at certain first-time offenses, especially those that put employees at greater risk of exposure. Based on the extent of the exposure risk, WSDA may move directly to civil penalty. Private Applicators who have management responsibilities should be aware that they also may be held accountable for WPS violations. Additionally, access to decontamination supplies and training can directly impact the safety of your handler and worker employees\* and contribute to lower workers compensation costs.

How hard is it to comply with the decontamination and training requirements of the WPS? Probably easier than you think.

### Decontamination

The following chart details the decontamination supplies required for workers and handlers\* at different sites. Note: All supplies listed must be located together and be reasonably accessible.

<i><b>At Decontamination Site (within ¼ mile or closest point of vehicular access)</b></i>	<i><b>Where PPE Removed</b></i>	<i><b>At Mixing/Loading Site</b></i>
<b>WORKERS</b> Soap, disposable towels and adequate water for routine washing and emergency eyewash.	Not applicable.	Not applicable.
<b>EARLY ENTRY WORKERS</b> Soap, disposable towels and 10 gallons water/employee; 20 gallons/2 or more employees.  Note: 1 pint of immediately accessible eyewash water/early entry worker when the label requires protective eyewear.	Soap, disposable towels and adequate water to wash thoroughly.	Not applicable.
<b>HANDLERS</b> Enough water for routine washing, for emergency eyeflushing, and for washing the entire body in case of an emergency. Six gallons of additional eyewash when label requires eyewear for mixing, loading or applying. Clean change of clothing.  Note: 1 pint of immediately accessible eyewash water/handler when performing a task for which the label requires protective eyewear.	Soap, disposable towels and adequate water to wash thoroughly. Clean change of clothing.	Soap, disposable towels and 10 gallons water/employee; 20 gallons/2 or more employees. Six gallons of additional eyewash when label requires eyewear for mixing, loading or applying; all permanent mixing/loading sites must have a plumbed or portable eyewash system meeting this requirement. Clean change of clothing. Note: Supplies may only be located at mix/load site or area under a restricted entry interval if this is where the handling tasks are performed, the soap, single-use towels, and clean change of clothing are in closed containers, and the water is running tap water or is in a closed container.

Note: The employer shall assure that all water provided is of a quality and temperature that will not cause illness or injury when it contacts the skin or eyes or if it is swallowed.

## Training

Overall, growers are pretty good at providing training to their handler\* employees. Improvement could be made in providing them with additional safety information about the pesticides and equipment being used. Unfortunately, growers are not very good at providing training to their worker\* employees. They often believe that training is not important for these employees since they don't actual handle a pesticide or the information is so common sense that everyone already knows it. Nothing could be farther from the truth.

Although often not visible, pesticide residues are present and workers do contact them. Workers from other countries may not have your level of knowledge about pesticides and how to minimize contact. Cultural beliefs may also play a role. The bottom line is don't assume your employees know how to protect themselves from pesticide residues.

Employee training can be as simple as playing one of several videos, asking questions to make sure that employees understand the key concepts and being available to respond to any questions your employees may have. WPS related compliance materials, including videos such as the one entitled "Chasing the Sun," are available free at <http://www.epa.gov/agriculture/awor.html>. In addition, WSDA is available to answer your WPS related questions.

A key to effective employee training is to designate a safety manager and make sure he/she attends a WSDA WPS Train-the-Trainer course. This daylong course, offered in English and Spanish, reviews the WPS requirements including those related to training, and provides valuable information on how to conduct effective training.

Interested in doing a self-assessment of your WPS compliance? WSDA's WPS Inspection Checklist can be found at <http://agr.wa.gov/PestFert/Pesticides/docs/WPSChecklist.pdf>. Refer to the checklist to learn what is required at your central notification board.

For further information on training employees and safety managers, contact Ofelio Borges at (509) 509-249-6939. Questions regarding the WSDA checklist can be directed to Matt West, Wenatchee Compliance Officer, at (509) 662-0493, or Ofelio Borges. General WPS related questions can be directed to EPA or one of the WSDA offices below.

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### **WSDA**

#### **Certification & Training**

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#### **Compliance Branch Offices**

Available toll free at 1-877-301-4555  
Press 1 for English/Press 2 for Compliance and then:  
Press 1 for Olympia  
Press 2 for Yakima and Wenatchee  
Press 3 for Spokane  
Press 4 for Moses Lake

\* **Handlers** are employees that mix, load, apply and otherwise come into direct contact with pesticides. **Workers** are those employees that enter areas that have been treated within 30 days of the expiration of an REI for a WPS labeled pesticide.