



## PENN STATE UNIVERSITY PESTICIDE MANAGEMENT PROGRAM

### THE WORKER PROTECTION STANDARD – DOES IT APPLY TO ME?

The Worker Protection Standard (WPS) is a regulation issued by the U.S. Environmental Protection Agency that governs pesticides used in the production of agricultural plants on farms, forests, nurseries, and greenhouses. **Agricultural plants include those grown or maintained for commercial or research purposes.** It requires Penn State to provide information to pesticide users and agricultural workers about exposure to pesticides, protection against exposure to pesticides, and ways to mitigate exposures to pesticides.

The WPS does not cover pesticides:

- Applied on pastures,
- Used for control of vertebrate pests such as rodents,
- Used for mosquito abatement or similar government-sponsored area-wide public pest control programs,
- Applied on livestock or other animals,
- Applied on plants grown for other than commercial or research purposes,
- Applied on plants that are in ornamental gardens, parks, golf courses, and public or private lawns and grounds that are intended only for decorative or environmental benefit,
- Used in a manner not related directly to the production of agricultural plants, including, for example, control of vegetation along rights-of-way and in other noncrop area, and structural pest control, such as termite control and wood preservation, and
- Applied for research uses of unregistered pesticides.

The Worker Protection Standard defines both “workers” and “handlers.” Given below are those definitions as they relate to PSU:

Workers – A worker is anyone who is:

1. employed or is a student at PSU, and
2. performs tasks, such as harvesting, weeding, or watering, relating to the production of agricultural plants on a farm, forest, nursery, or greenhouse (or areas that are enclosed by nonporous coverings that are large enough to allow a person to enter such as polyhouses, high tunnels, mushroom houses, etc.).

**As described above, students may be considered to be workers even though they may receive no pay if they are at facilities covered by the WPS.**

Handlers – A pesticide handler is anyone who is:

1. employed or is a student at PSU, and
2. uses pesticides in the production of agricultural plants on a farm, forest, nursery, or greenhouse (or areas that are enclosed by nonporous coverings that are large enough to allow a person to enter such as polyhouses, high tunnels, mushroom houses, etc.), and
3. performs any of the following tasks:
  - mixing, loading, transferring, or applying pesticides,
  - handling opened containers of pesticides,
  - acting as a flagger,
  - cleaning, handling, adjusting, or repairing, the parts of mixing, loading, or application equipment that may contain pesticide residues,
  - assisting with the application of pesticides, including incorporating the pesticide into the soil after the application has occurred,
  - entering a greenhouse or other enclosed area after application and before the inhalation exposure level listed on the product labeling has been reached or one of the WPS ventilation criteria have been met to:
    - operate ventilation equipment,
    - adjust or remove coverings, such as tarps, used in fumigation, or
    - check air concentration levels
  - enters a treated area outdoors after application of any soil fumigant to adjust or remove soil coverings, such as tarpaulins,
  - performs tasks as a crop advisor:
    - during any pesticide application,
    - before any inhalation exposure level or ventilation criteria has been reached or one of the WPS ventilation criteria has been met,
    - during any restricted-entry interval,
  - disposes of pesticides or pesticide containers.

**As described above, students may be considered to be handlers even though they may receive no pay if they are at facilities covered by the WPS.**

A person is not a handler if he or she only handles pesticide containers that have been emptied and cleaned according to instructions on pesticide product labeling, or if the labeling has no such instructions, have been triple-rinsed or cleaned by an equivalent method, such as pressure rinsing. A person is not a handler if he or she is only handling unopened pesticide containers and is not at the same time doing any handling work.

**Note: A “handler” as identified by the Federal Worker Protection Standard is an “applicator” or a “technician” under the Pennsylvania regulations, but also includes non-certified personnel applying pesticides under the direct supervision of a certified applicator. Handlers are also workers.**

Some examples of personnel who may use pesticides or come into contact with them at Penn State are given below along with whether or not the WPS applies:

Job Responsibility	Worker Protection Standard Applies	
	Handler	Worker
Landscape pesticide applicator (not in a nursery or greenhouse)	No	No
Landscape worker (including students) without pesticide responsibilities (not in a nursery or greenhouse)	No	No
Greenhouse pesticide applicator	Yes	Yes
Greenhouse worker (including researchers and students) without pesticide responsibilities	No	Yes
Farm (including research or production) pesticide applicator	Yes	Yes
Farm worker (including researchers and students) without pesticide responsibilities	No	Yes
Nursery pesticide applicator	Yes	Yes
Nursery worker (including researchers and students) without pesticide responsibilities	No	Yes
Forest pesticide applicator	Yes	Yes
Forest worker (including researchers and students) without pesticide responsibilities	No	Yes
Rodent or other vertebrate pest controllers	No	No
Animal workers who use pesticides	No	No
Pesticide applicators on turfgrass grown for commercial or research purposes	Yes	Yes
Workers without pesticide responsibilities (including researchers and students) on turfgrass grown for commercial or research purposes	No	Yes
Pesticide applicators on turfgrass or other plants in ornamental gardens, parks, golf courses, athletic fields, and other grounds that are decorative or intended for environmental benefit	No	No
Workers without pesticide responsibilities (including students) on turfgrass or other plants in ornamental gardens, parks, golf courses, athletic fields, and other grounds that are decorative or intended for environmental benefit purposes	No	No
Research (including students and researchers) use of unregistered pesticides	No	No
Mosquito abatement pesticide users	No	No
Pesticide applicators at swimming pools	No	No

**Refer to the Penn State University Pesticide Management Program Manual at [www.ehs.psu.edu](http://www.ehs.psu.edu) for detailed information on this topic.**