

Chapter 5. What Growers Must Do to Protect Fieldworkers

Basic responsibility

Whether a grower employs fieldworkers directly, or through a farm labor contractor, the grower is responsible for providing a safe workplace.

Notification (3CCR 6618)

Growers must notify employees and contractors who may enter or walk within a quarter mile of a field where a pesticide will be applied or where a restricted entry interval (REI) is in effect. The warning must include:

- Location and description of the treated area.
- The duration of the REI.
- Instructions not to enter the treated field until the REI expires.

Instead of the oral warning, the farmer may post the treated field unless the label requires both oral warnings and field posting. See **Posting** section.

Fieldworker training (3CCR 6764)

Fieldworkers must be given training before working in treated fields ~~and be~~ within the last 12 mos. ~~retrained every five years~~. The training must be in a language they understand and provided by a qualified person. The training must include:

- Importance of routine washing after exposure.
- The meaning of posting and REIs.
- Where exposure to pesticides might occur.
- Routes of exposure.
- Acute and long-term effects of pesticides.
- Symptoms of overexposure.
- First aid and where to get emergency medical care.
- Warnings against taking pesticides home.
- The hazard communication program.
- Rights of employees to receive information and to be protected from retaliation for exercising these rights.

Workers have the right to receive information about pesticides to which they may be exposed. This information must also be provided to employee representatives and physicians upon request. It is against the law to fire or take retaliatory action against employees for exercising their rights.

The following persons are qualified to train fieldworkers:

- Anyone qualified to train handlers. (See page 9.)
 - Persons that hold any valid license or certificate issued by DPR.
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Hazard communication for fieldworkers (3CCR 6761)

Growers must display a copy of the PSIS A-9 at the worksite whenever their employees are working in a treated field. Growers must fill in information on emergency medical care, the location of your application-specific information display, MSDS and pesticide use records in the spaces provided. When contracting with farm labor contractors (FLC), make sure that the location of your application-specific information display and other records are documented on the FLC's PSIS A-9 displayed at the worksite.

Decontamination facilities for fieldworkers (3CCR 6768)

Whenever fieldworkers are engaged in activities involving contact with treated surfaces in treated fields, the employer must provide clean, potable water, soap and single-use towels sufficient for hand-washing and emergency eye flushing. The facility must be located within a quarter mile of the workers. (Rev Jan 2017 - refer to DPRs website for WPS updates)

Posting (3CCR 6776)

The grower must assure that warning signs are posted around fields before an application in these situations:

- When pesticide labeling requires posting.
- Any greenhouse application.
- Any application that has a label or regulatory REI greater than seven days.
- Any application of a *Danger* or minimal exposure pesticide through an irrigation system.
- Any application of a fumigant.

Warning signs shall not be posted more than 24 hours before an application and must be removed within three days after the REI expires.

Warning signs must comply with regulatory requirements for placement, shape, size, and content of the sign, and the size of the lettering. There are different content requirements for signs for different types of applications.

The following types of applications each have specific content requirements:

- Chemigation
- Fumigation
- Pesticides with REIs of seven days or less
- Pesticides with REIs of more than seven days.

See 3CCR 6776 for more information, or contact your County Agricultural Commissioner.

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Application-specific information (3CCR 6723.1, 6761.1)

Growers must display the following information whenever handlers or fieldworkers are working within a quarter mile of any treated field on their property.

- Location of the treated area.
- Time and date of application and the restricted entry interval (REI).
- Pesticide names, active ingredients and U.S. EPA registration numbers.

The information must be displayed as soon as you receive the notice of completed application from a pest control business or when your application is completed and remain in place for 30 days after the expiration of any REI. Forms for displaying this information are available on the next two pages.

Restricted entry interval adjustments (3CCR 6774)

The following adjustment must be made to the regulatory REIs listed in 3CCR Section 6772:

- When two or more organophosphates are applied, use the longest REI plus 50% of the next longest REI.
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Early entry requirements (3CCR 6771)

Generally, employees must be kept out of fields during an REI. There are exceptions for specific tasks (see Early Entry Restrictions Table, page 25), but additional precautions must be taken to protect workers.

Inform

Before an employee can enter a field during a REI to perform an allowed task, you must ensure that they are informed of the requirements on the label relating to:

- Health hazards and first aid.
- Symptoms of poisoning.
- Use of required PPE.
- Symptoms and first aid for heat-related illness.
- The need for washing after leaving the treated area.

Provide

The employer must provide early-entry workers with:

- PPE required for early entry by the label and regulation (at a minimum, work clothing with long sleeves and full leg coverage, shoes, socks and gloves).
 - One pint of water for eye flushing immediately accessible for each employee, if the pesticide label requires eye protection.
 - A clean change area for workers with soap, water and towels.
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