

**(Effective until February 3, 2020)**

**WAC 296-307-12040 Pesticide safety training—Standards for workers—40 C.F.R., § 170.130.** (1) General requirement.

(a) Agricultural employer assurance. The agricultural employer shall assure that each worker, required by this section to be trained, has been trained according to this section during the last five years, counting from the end of the month in which the training was completed.

*Note: In addition to the training required by this section, the agricultural employer shall assure without exception, that all employees are trained in accordance with WAC 296-307-550, Employer chemical hazard communication.*

(b) Requirement for workers performing early entry activities. Before a worker enters a treated area on the agricultural establishment during a restricted-entry interval to perform early entry activities permitted by WAC 296-307-12020 and contacts anything that has been treated with the pesticide to which the restricted-entry interval applies, including but not limited to, soil, water, or surfaces of plants, the agricultural employer shall assure that the worker has been trained.

(c) Requirements for other agricultural workers.

(i) Information before entry. Except as provided in (b) of this subsection, before a worker enters any areas on the agricultural establishment where, within the last thirty days a pesticide to which this part applies has been applied or the restricted-entry interval for such pesticide has been in effect, the agricultural employer shall assure that the worker has been provided the pesticide safety information specified in subsection (3) of this section, in a manner that agricultural workers can understand, such as by providing written materials or oral communication or by other means. The agricultural employer must be able to verify compliance with this requirement.

(ii) Training before the start of a work period. The agricultural employer shall assure that a worker has been trained before the worker enters any areas on the agricultural establishment where, within the last thirty days a pesticide to which this chapter applies has been applied or a restricted-entry interval for such pesticide has been in effect, the agricultural employer shall assure that the worker has been trained.

(2) Exceptions. The following persons need not be trained under this section:

(a) A worker who is currently certified as an applicator of restricted-use pesticides under chapter 17.21 RCW.

(b) A worker who satisfies the training requirements of chapter 17.21 RCW.

(c) A worker who satisfies the handler training requirements of WAC 296-307-13025(3).

(d) A worker who is certified or licensed as a crop advisor by the Washington state department of agriculture under RCW 15.58.230: Provided, That a requirement for such certification or licensing is pesticide safety training that includes all the information set out in WAC 296-307-13025 (3)(d).

(3) Training programs.

(a) General pesticide safety information shall be presented to workers either orally from written materials or audiovisually. The information must be presented in a manner that the workers can understand (such as through a translator) using nontechnical terms. The presenter also shall respond to workers' questions.

(b) The person who conducts the training shall meet at least one of the following criteria:

(i) Be currently certified as an applicator of restricted-use pesticides under chapter 17.21 RCW; or

(ii) Be currently designated as a trainer of certified applicators or pesticide handlers by the Washington state department of agriculture in accordance with chapters 15.58 and 17.21 RCW; or

(iii) Have completed a pesticide safety train-the-trainer program approved by the Washington state department of agriculture in accordance with chapters 15.58 and 17.21 RCW; or

(iv) Satisfy the training requirements in WAC 296-307-13025(3).

(c) Any person who issues a Washington state department of agriculture-approved Worker Protection Standard worker training card must assure that the worker who receives the training card has been trained in accordance with subsection (4)(d) of this section.

(d) The training materials shall convey, at a minimum, the following information:

(i) Where and in what form pesticides may be encountered during work activities.

(ii) Hazards of pesticides resulting from toxicity and exposure, including acute and chronic effects, delayed effects, and sensitization.

(iii) Routes through which pesticides can enter the body, including information on wearing work clothing that protects the body from pesticide residues.

(iv) Signs and symptoms of common types of pesticide poisoning.

(v) Emergency first aid for pesticide injuries or poisonings.

(vi) How to obtain emergency medical care.

(vii) Routine and emergency decontamination procedures, including preventing pesticides from entering the body by:

■ Emergency eyeflushing techniques;

■ Washing work clothes separately from other clothes before wearing them again;

■ Washing before eating, drinking, using chewing gum or tobacco, or using the toilet;

■ Washing/showering with soap and water, shampooing hair, and putting on clean clothes after work; and

■ Washing immediately in the nearest clean water if pesticides are spilled on the body. As soon as possible shower, shampoo, and change into clean clothes.

(viii) Hazards from chemigation and drift.

(ix) Hazards from pesticide residues on clothing.

(x) Warnings about taking pesticides or pesticide containers home.

(xi) Requirements of this part designed to reduce the risks of illness or injury resulting from workers' occupational exposure to pesticides, including application and entry restrictions, the design of the warning sign, posting of warning signs, oral warnings, the availability of specific information about applications, and the protection against retaliatory acts.

(4) Verification of training.

(a) Except as provided in subsection (4)(b) of this section, if the agricultural employer assures that a worker possesses a Washington state department of agriculture-approved Worker Protection Standard worker training card, then the requirements of subsection (1) of this section will have been met.

(b) If the agricultural employer is aware or has reason to know that a Washington state department of agriculture-approved Worker Protection Standard worker training card has not been issued in accordance with this section, or has not been issued to the worker bearing the card, or the training was completed more than five years before the beginning of the current month, a worker's possession of that certificate does not meet the requirements of subsection (1) of this section.

[Statutory Authority: RCW 49.17.010, [49.17].040, and [49.17].050. WSR 01-17-033, § 296-307-12040, filed 8/8/01, effective 9/1/01. Statutory Authority: RCW 49.17.040. WSR 98-24-096, § 296-307-12040, filed 12/1/98, effective 3/1/99. WSR 97-09-013, recodified as § 296-307-12040, filed 4/7/97, effective 4/7/97. Statutory Authority: RCW 49.17.040, [49.17.]050 and [49.17.]060. WSR 96-20-082, § 296-306A-12040, filed 9/30/96, effective 11/1/96.]