

Know Your Rights: Pesticide Safety

Updated 5/11/2026

Your Rights under the Worker Protection Standard

All agricultural workers are protected by a federal law that guarantees some safety measures to reduce pesticide risks. **It is illegal for your employer to retaliate against you if you report a violation or ask them to follow the law.**

Information Access and Notice

- You have the right to know **when, where, and what type of pesticides** will be sprayed on crops.
- **Your employer should warn you** before spraying starts by putting up posters in central locations or by verbal notice.
- Posters and communications **must be in English and Spanish.**

Protection during and after Application

- Generally, if a pesticide is being sprayed by aircraft or other large machines, **you should be kept at least 100 feet from the machine** or follow other distance requirements.
- After spraying, **you should not be in the area that was treated for several hours to several days**, depending on what pesticide is used.
- Workers can only enter the area treated by pesticides early if they get extra training and if the employer provides them with Personal Protective Equipment.
- **Personal Protective Equipment should be provided by the employer at no cost** to the worker.

Decontamination Supplies

- When pesticides have been used, **employers must provide water, soap, and paper towels** so you can remove any pesticide residue.
- These **supplies must be nearby** to where you are working.

Annual Trainings

- **Every year, your employer must train you in pesticide safety.**
- This training should tell you about your rights under the Worker Protection Standard.
- Topics that should be included are **how to recognize pesticide illness, what clothing to wear, and what to do if you are exposed to pesticides.**

Emergency Medical Transport

- If you are exposed to pesticides and become sick, your **employer must drive you to the nearest doctor.**
- Your **employer must also provide information about the pesticide** to the doctor.

Work Injuries

- Most agricultural employers must provide **workers' compensation benefits** to their employees.
- If you become ill from pesticide exposure on the job, **you may have the right to receive medical treatment for workplace injury and any lost wages.**

Designated Representative

- You can choose **someone you trust to represent you in exercising your rights** under the Worker Protection Standard.

Pesticide Safety Tips

Keeping pesticides off your skin and out of your nose, eyes, and mouth is important for reducing your risks.



To help protect your skin, wear long sleeves, long pants, and gloves when working in treated crops.



To help protect you from droplets entering your body, cover your mouth and nose with a bandana or mask and wear protective glasses.



Do not touch your face, use the bathroom or phone, smoke, or eat without first thoroughly washing your hands and wrists with soap and water.



Avoid wearing work clothing and shoes into your home and wash them between uses, and wash your work clothes separately from your family's clothes.



If you have skin rashes, nose/throat/eye irritation, excessive sweating, nausea, difficulty breathing, vomiting, dizziness, or confusion, this could be caused by a pesticide and you should seek medical treatment. Repeated pesticide exposure can lead to serious long term health impacts such as cancer or reproductive health issues. Young children and people capable of becoming pregnant should take extra precautions to avoid pesticide exposure.

For more information, help enforcing your rights, or to learn more, you can contact:

NM Center on Law and Poverty
505-255-2840

NM Legal Aid
505-506-0338

If you think your employer is not following the law or a pesticide is being used incorrectly, you or your designated representative should immediately report this violation to the New Mexico Department of Agriculture:

Fill out an Incident Report



English



Spanish

Print and Fax this [Form](#) to 575-646-1540
Email pesticidecomplaints@nmda.nmsu.edu
Call 575-646-2134 during business hours
Call 575-646-3007 after business hours