

**STAFF PROPOSAL FOR DISCUSSION  
HAND WEEDING ADVISORY COMMITTEE**

PROPOSED STATE STANDARD,  
TITLE 8, CHAPTER 3.5, SUBCHAPTER 1, ARTICLE 3

Section 3456. Hand-Held Tools.

(a) Hand-held tools shall be kept in good condition and be safely stored.

~~(b) The use of a short-handled hoe or any other short-handled hand tool is prohibited in agricultural operations, as that term is defined in Section 3437 or Title 8, California Administrative Code, for weeding, thinning or hot-capping when such hoe or short-handled hand tool is used in a stooped, kneeling or squatting position. Employees engaged in weeding, thinning or hot-capping shall use a long-handled hand tool, as defined in Section 3437, provided by the employer, except when one or more of the following conditions applies:~~

~~(1) The work is performed in a manner that does not require an employee to stoop, squat or kneel;~~

~~(2) Crops are grown under continuous plastic mulch or woven cloth sheets and use of a long-handled hand tool is not possible;~~

~~(3) The employer can demonstrate that use of a long-handled hand tool can reasonably be expected to significantly damage the crop at the crop's current stage of development;~~

~~(4) The crops are certified organic vegetables or berries, are grown by a registered organic producer, and use of a long-handled hand tool is not possible.~~

~~(c) A long-handled hand tool used for these operations to weed, thin or hot-cap shall not be used as a short-handled hand tool in a stooped, kneeling or squatting position.~~

~~(d) When (b)(2), (b)(3) or (b)(4) prevent use of a long handled hand tool, the employer shall:~~

~~(1) prohibit employees from using a short-handled hand tool, as defined in Section 3437, if use of the tool requires an employee to stoop, squat or kneel;~~

~~(2) minimize the degree of hand weeding, thinning or hot-capping required, by implementing available administrative and/or engineering controls; and~~

~~(3) provide appropriate personnel protective equipment, including gloves, if requested, and knee pads if work is performed in a kneeling position. Prior to each shift, employers shall inform employees, in a language understood by the employees, of their right to protective equipment.~~

~~(e) Nothing in this section is intended to prohibit occasional hand weeding, thinning or hot-capping that is incidental to the use of a long handled hand tool.~~

June 20, 2003

Page 2

**STAFF PROPOSAL FOR DISCUSSION  
HAND WEEDING ADVISORY COMMITTEE**