

RECYCLING AGRICULTURAL PLASTICS PROGRAM

CORNELL UNIVERSITY, ITHACA NY 14853

PLASTICS BALER TRAINING REQUIREMENT and LIABILITY RELEASE

Instructions: Prior to working with a BigFoot plastics baler, or a comparable compactor, all persons **MUST**

- Undergo training in safe operation of the baler.
- Sign and date this legally binding liability release, clearly entering all required information.
- *Persons who will be independently operating the baler MUST:*
Undergo sufficient additional training to competently operate and maintain the baler. TRAINERS: Verify this higher level of training by completing and signing the Baler Operator Certification at the bottom of this page; and provide the Trainee with a wallet-sized certification card attesting to this training.

These training requirements apply to anyone assisting or supervising any aspect of operating balers owned by the NYS Department of Environmental Conservation as well as balers owned or managed by other RAPP Partners. (RAPP Partner: entities receiving funds or other resources from RAPP to carry out plastics recycling.)

The required training must be provided by a Trainer designated by RAPP or by a RAPP Partner.

The entity managing the baler (*i.e.*, the Soil and Water Conservation District or other entity named below) must retain this form for at least six years, or for the duration of the Cooperation Agreement with NYS DEC, if pertinent.

BALER TRAINEE LIABILITY RELEASE

I, [TRAINEE name], the undersigned, have received training to operate a plastic baler owned by the New York State Department of Environmental Conservation (NYS DEC) (or by another entity, specified below) and provided for my use by

[entity managing the baler]

Training was provided at [location] on

[date] by [TRAINER name & affiliation].

I hereby RELEASE and forever discharge Cornell University, the Cornell Cooperative Extension Associations and the Soil and Water Conservation Districts of the various counties participating in the Recycling Agricultural Plastics Program (RAPP), the NYS Department of Environmental Conservation, and the People of the State of New York, their officials, employees, heirs, successors, contractors, agents and assigns (Releasees), jointly and individually, from any and all claims arising out of or related to my use and operation of the plastic baler and Releasees' role in providing me training to use and operate the baler, including a claim of negligent training. By signing this Waiver, I also intend to make it binding on my estate, heirs, guardians, legal representatives, family members and assigns.

In the event that I train other individuals ("sub-trainees") in the use of the plastic baler, I agree to obtain a RELEASE in the exact form of the paragraph above from each sub-trainee, and to ensure that the RELEASE is kept on file as described in the instructions above. If I fail to obtain such RELEASE, I agree to defend and indemnify the Releasees from any and all claims arising out of or related to the sub-trainee's use and operation of the plastic baler, including a claim of negligent training.

Signed: _____ Dated: _____

Witnessed: _____

Filename: BalerTraineeLiabilityRelease2014Sept24

BALER OPERATOR CERTIFICATION

TRAINERS: I verify that [TRAINEE name] has experience and training to independently operate a plastics baler of the type(s) s/he was trained to use.

[printed name & signature of TRAINER]

[date]