

OSHA Petitioned to Adopt National Heat Standard

By Matthew Thomas Deffebach | November 8, 2018

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Public Citizen, a nonprofit consumer advocacy organization, and others petitioned OSHA this summer to adopt “the first federal standard that would protect outdoor and indoor U.S. workers from occupational exposure to excessive heat.”¹ The petition proposed adopting the National Institute for Occupational Safety and Health’s latest iteration of its criteria for an occupational heat stress standard. Such a standard would require employers to provide (1) mandatory rest breaks depending on the workplace temperature and worker activity level, (2) personal protective equipment such as water-cooled garments or air-cooled garments, (3) shade, (4) hydration, (5) time to acclimate to high-heat environments, and (6) worker training to prevent and mitigate the risk of heat illness. Employers would also need to implement (1) heat exposure monitoring, (2) a medical monitoring program, (3) heat stress hazard notifications, (4) a heat alert program, (5) heat-related surveillance and recordkeeping, and (6) whistleblower protections for employees and supervisors that report violations of the heat stress standards.

Representative Judy Chu (D-CA) stated that she intends to introduce related legislation soon, but it is unlikely that such legislation would advance in the Republican-controlled Congress. OSHA has already delayed implementing several rules including the beryllium rule, silica dust rule, and electronic reporting rule. Although a national heat standard may not advance very far in the current regulatory environment, employers should be aware of the efforts by advocacy groups to introduce and petition for national heat stress standards.

¹ https://www.citizenvox.org/wp-content/uploads/2018/07/180717_Petition-to-OSHA-on-Heat-Stress-Signed_FINAL.pdf.