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HEAT INJURY AND ILLNESS PREVENTION STANDARD PROPOSED BY OSHA

On August 30, 2024, the Occupational Safety and Health Administration (OSHA) published a proposed rule for a new OSHA standard: Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings.

Currently, there is no specific standard that regulates heat stress hazards in the workplace. Rather, OSHA currently protects workers from heat risk under OSHA's General Duty Clause. OSHA cites the need for a standard to protect workers from persistent and serious hazards posed by heat exposure, as fatalities due to environmental heat exposure have increased in recent years. Industries experiencing frequent hospitalizations and fatalities due to heat exposure include construction, manufacturing, landscaping, agriculture, and postal and delivery service. OSHA also identified certain risks which lead to heat exposure fatalities, such as leaving employees alone after heat exposure symptoms begin, a lack of water and shade on-site, and no programs to acclimatize employees to hot work environments.

The proposed rule sets forth an employer's obligations to protect exposed workers when temperatures reach an initial heat trigger of 80 degrees. Employers would be required to create a heat injury and illness prevention plan, identify heat hazards, develop an emergency response plan, and provide training to employees. In addition, employers would be required to monitor weather forecasts, provide drinking water, and provide longer or more frequent rest breaks when the heat trigger is met. All employers currently subject to OSHA's jurisdiction would have to comply with the new standards.

OSHA also proposes certain exclusions, such as activities for which there is no reasonable expectation of exposure above the heat trigger, and exposure to the heat trigger for 15 minutes or less in a 60-minute period.

The proposed rule is published in the Federal Register, and the public will have until December 30, 2024, to comment on the proposed standard and its potential changes. Following closure of the comment period, OSHA will review all comments and consider whether further adjustments to the proposed rule are necessary.

Additional information is available at:

<https://www.osha.gov/heat-exposure/rulemaking>.

For more information, please reach out to [Beau Bump](#), [Maddie Hasley](#), or another member of [Cline Williams' Labor and Employment Law Section](#) at www.clinewilliams.com.

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