

Heat Illness Regulations

By Lisa V. Ryan



In response to recent workplace deaths caused by heat-related illnesses, the California Occupational Safety and Health Standards Board promulgated regulations last summer applying to all work outdoors where environmental risk factors for heat illness are present. On December 20, 2005 the emergency regulations were readopted for a second 120-day period with the stated objective to “significantly reduce both the frequency and the severity of occupational heat-related illness in all outdoor places of employment.”

Employers are now required to provide employees access to shade and sufficient quantities of drinking water. Additionally, the regulations require employers to train supervisors and foremen to recognize heat stress disorders and encourage workers to wear appropriate clothing and to use sunscreen, hats and sunglasses. These standards apply in all outdoor places of employment at those times when the environmental risk factors for heat illness are present.

For example, each construction employee working in the heat must have a minimum of one quart of drinking water per hour available to them, e.g., two gallons per employee for an eight-hour shift, to replace water lost by sweating. This means there must always be a sufficient quantity of water present and readily accessible to allow every employee to consume at least one quart of water per hour. Any water supply procedure that depends on replenishment during the work shift will be out of

compliance if it is not reliable. Employers will also be out of compliance if, at any time, no drinking water is available to employees, or if their practice is to wait until the water vessel is empty to replenish it.

The employer is also required to provide access to shade for those employees who believe they need a preventive recovery period from the effects of the heat and any who actually exhibit indications of heat illness. Access to the shade must be permitted at all times, and the employee must be permitted to remain in the shade for a period of at least five minutes, for recovery purposes.

For more information about these emergency regulations, or other OSHA issues, please contact Cook Brown, LLP. ■