

# OSHA HEAT ILLNESS ENFORCEMENT

## Oppose One-Size Fits All National Heat Standard

### Action Needed:

Congress should ensure OSHA does not arbitrarily and capriciously adopt a one-size-fits-all national heat standard without taking into account regional differences in climate and the critical role of employees in managing their own health.

### Background:

According to the National Institute for Occupational Safety and Health (NIOSH), workers exposed to extreme heat or work in hot environments may be at risk of heat stress. While heat illnesses can be deadly, it is preventable with proper education and teamwork. Many proven strategies to combat heat stress are common-sense, including the Occupational Safety and Health Administration's (OSHA) "[Water. Rest. Shade](#)" campaign approach. On August 30, OSHA released a proposed rule would require employers to evaluate their workplaces and implement controls to mitigate exposure to heat through engineering and administrative controls, training, effective communication, and other measures.

The construction industry is proactively addressing heat exposure. Construction contractors are keenly aware of the dangers of working in extreme temperatures and have taken appropriate steps to reduce related risks. These measures include: scheduling work earlier or later to avoid performing tasks during times of extreme heat, setting up cool-down areas on job sites, and taking a total wellness approach to educating employees on the importance of managing health, diet, and hydration.

### AGC Message:

- **Recognize regional/geographical differences in climate.** Establishing a nationwide heat trigger of 80 degrees will require contractors who routinely perform work in warmer regions to implement programs when employees are not at significant risk of heat injury or illness. Climates vary from region to region and workers in certain regions are often naturally acclimated. For example, what is considered warm in the Pacific Northwest, would be considered a mild day in more southern regions.
- **Account for employee behavior and individual health conditions which could put construction employers at increased risk.** There is no one-size-fits-all approach to address this, as heat affects individuals differently based on a variety of factors, including medical conditions and prescribed medications to treat these illnesses that make some individuals more susceptible to heat injuries and illnesses. Additionally, there are lifestyle choices and behaviors unrelated to medical conditions that also increase the potential for an individual to suffer adverse effects from heat exposure. None of which construction employers may be aware of.
- **OSHA must establish clear enforcement guidelines to ensure fair and consistent enforcement of a heat standard if finalized.** Should OSHA finalize a heat standard, contractors need to understand how to comply.