

RISK ADVISOR

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OSHA's Proposed Heat Injury and Illness Prevention Standard

OSHA recently [published](#) a notice of proposed rulemaking in the Federal Register regarding heat injury and illness prevention. If finalized, the new standard would apply to all employers conducting indoor and outdoor work in all general industry, construction, maritime and agricultural sectors where OSHA has jurisdiction, subject to limited exceptions. It would also be the first federal regulation specifically directed at protecting workers from extreme heat.

Heat injuries and illnesses are a major worksite risk. According to the U.S. Bureau of Labor Statistics, nearly 500 workers died from heat exposure in the United States from 2011-22. Additionally, the agency noted that around 34,000 estimated work-related heat injuries and illnesses resulted in days away from work.

The proposed rule seeks to make jobsites safer by mandating employers make a plan to evaluate and control workplace heat hazards. The proposed rule includes requirements that employers:

- Identify heat hazards.
- Develop heat illness and emergency response plans.
- Provide training to employees and supervisors.
- Implement work practice standards, including rest breaks, access to shade and cool drinking water, and heat acclimatization for new employees.

Employers must take additional protective measures if the heat index rises to 90 degrees Fahrenheit or higher. These include:

- Providing 15-minute, paid rest breaks every two hours

- Sending a hazard alert to employees reminding them of emergency procedures and to stay hydrated and take rest breaks
- Monitoring employees for heat illness through a buddy system or observation by a supervisor or heat safety coordinator

Comments on the proposed rule are due by Dec. 30, 2024.

If finalized, employers need to comply with its requirements within 150 days of publication. Employers would be subject to its requirements early in 2025.

Employers may immediately take steps to comply with the proposed new standard, such as:

- Identifying and addressing heat hazards
- Preparing and updating policies
- Preparing training protocols for employees and supervisors.

Employers should also continually monitor for updates and potential legal challenges.

Contact us today for more information.