



CAL/OSHA CHANGES TO HEAT ILLNESS REGULATIONS

The following is a summary of the changes in Cal/OSHA's Heat Illness Regulations which are effective May 1, 2015. The Cal/OSHA Heat Illness Prevention Standard applies to all outdoor places of employment. Additional high heat procedure requirements are imposed on employers in certain industries. The Heat Illness Prevention Plan (if required) in your Injury and Illness Prevention Program (IIPP) must be updated to reflect these changes.

Water must be "fresh, pure, suitably cool and provided to employees free of charge" and is to be located "as close as practicable to the areas where employees are working."

The trigger temperature for **shade** to be provided has been reduced to 80° F. The shade that must be provided should "not deter or discourage access or use." There must be enough shade for the number of employees who may be on a rest break, recovery period or meal period. [The employer can rotate these breaks to ensure enough shade for the employees.]

An employee who takes a **preventative cool-down rest** must be monitored, encouraged to remain in the shade, and not asked to return to work until symptoms have abated and he has been given at least 5 minutes of rest after accessing the shade.

If an employee exhibits or complains of any **sign or symptom of heat illness**, first-aid procedures should be initiated without delay and/or additional emergency response measures taken, as indicated by the severity of the symptoms. **Emergency response** measures must include effective communication by voice, observation, or electronic means so that employees at the work site can contact a supervisor or emergency medical services when necessary; transporting employees as necessary to a place where they can be reached by an emergency medical provider; and ensuring that clear and precise directions to the work site can and will be provided as needed to emergency responders.

An employee exhibiting signs or symptoms of heat illness shall be monitored and shall not be left alone or sent home without being offered onsite first aid and/or being provided with emergency medical services.

High heat (temperature of 95° F or more) procedures (see industries subject to these requirements above) have been

modified. Observation must include one or more of the following: direct observation by the supervisor (if 20 or fewer employees); a buddy system; regular radio or phone communication with a sole employee; or other effective means of observation. One or more employees are to be designated at each worksite to call for emergency medical services, as necessary, and all employees must be allowed to do so in the absence of the designated individual(s). When necessary, a pre-shift meeting should include a review of the high heat procedures, encourage employees to drink plenty of water, and remind employees of their right to take a cool-down rest when necessary. In agriculture, the employer must ensure that the employees take a minimum ten minute preventative cool down rest period every two hours (which can coincide with regular rest breaks and meal periods).

Procedures for **acclimatization** to increased heat exposure must include observation by the supervisor or designee during a "heat wave" - when the temperature is at least 80° F and at least ten degrees higher than the average high temperature over the preceding five (5) days. Employees newly assigned to a high heat area must be closely observed by a supervisor or designee for the first fourteen (14) days.

Heat illness training must include training on the procedures established by the employer to comply with these regulations – the employer's responsibility to provide water, shade, cool-down rests, and access to first aid as well as the employees' right to exercise their rights under this standard without retaliation; the concept, importance, and methods of acclimatization; and training for employees on the different types of heat illness, the common signs and symptoms of heat illness, the appropriate first aid and/or emergency responses to the different types of heat illness, and in addition, that heat illness may progress quickly from mild symptoms and signs to serious and life threatening illness.

For more information or assistance please contact Jeanne Flaherty.



Jeanne Flaherty is the President and Managing Attorney of Employer's Legal Advisor, Inc., which represents and advises employers on all employment matters. The firm specializes in conducting employment practices compliance reviews and advising employers on day-to-day legal issues in the workplace.