

****CSRMA ALERT****

CalOSHA Standards Board Adopts Permanent Heat Illness Prevention Regulation

The CalOSHA Standards Board approved in late June 2006 the first permanent safety and health regulation in the country aimed at preventing heat illness.

Who Does the New Regulation Affect: This regulation applies to all outdoor places of employment at those times when the environmental risk factors for heat illness are present.

"Heat Illness" means a serious medical condition resulting from the body's inability to cope with a particular heat load, and includes heat cramps, heat exhaustion, heat syncope and heat stroke.

"Environmental risk factors for heat illness" means working conditions that create the possibility that heat illness could occur, including air temperature, relative humidity, radiant heat from the sun and other sources, conductive heat sources such as the ground, air movement, workload severity and duration, protective clothing and personal protective equipment worn by employees.

What Does the New Regulation Require: The new regulation requires the following of employers:

1. **Provision of Water.** Employees shall have access to potable drinking water meeting the requirements of Sections 1524, 3363, and 3457, as applicable. Where it is not plumbed or otherwise continuously supplied, it shall be provided in sufficient quantity at the beginning of the work shift to provide one quart per employee per hour for drinking for the entire shift. Employers may begin the shift with smaller quantities of water if they have effective procedures for replenishment during the shift as needed to allow employees to drink one quart or more per hour. The frequent drinking of water, as described in (e), shall be encouraged.
2. **Access to Shade.** Employees suffering from heat illness or believing a preventative recovery period is needed, shall be provided access to an area with shade that is either open to the air or provided with ventilation or cooling for a period of no less than five minutes. Such access to shade shall be permitted at all times. Except for employers in the agriculture industry, cooling measures other than shade (e.g., use of misting machines) may be provided in lieu of shade if the employer can demonstrate that these measures are at least as effective as shade in allowing employees to cool.

Notes:

"Shade" means blockage of direct sunlight. Canopies, umbrellas and other temporary structures or devices may be used to provide shade. One indicator that blockage is sufficient is when objects do not cast a shadow in the area of blocked sunlight. Shade is not adequate when heat in the area of shade defeats the purpose of shade, which is to allow the body to cool. For example, a car sitting in the sun does not provide acceptable shade to a person inside it, unless the car is running with air conditioning.

"Preventative recovery period" means a period of time to recover from the heat in order to prevent heat illness.

3. **Employee Training.** Training in the following topics shall be provided to all supervisory and non-supervisory employees.
 - (A) The environmental and personal risk factors for heat illness;
 - (B) The employer's procedures for complying with the requirements of this standard;
 - (C) The importance of frequent consumption of small quantities of water, up to 4 cups per hour, when the work environment is hot and employees are likely to be sweating more than usual in the performance of their duties;
 - (D) The importance of acclimatization;
 - (E) The different types of heat illness and the common signs and symptoms of heat illness;
 - (F) The importance to employees of immediately reporting to the employer, directly or through the employee's supervisor, symptoms or signs of heat illness in themselves, or in co-workers;
 - (G) The employer's procedures for responding to symptoms of possible heat illness, including how emergency medical services will be provided should they become necessary;
 - (H) The employer's procedures for contacting emergency medical services, and if necessary, for transporting employees to a point where they can be reached by an emergency medical service provider;
 - (I) The employer's procedures for ensuring that, in the event of an emergency, clear and precise directions to the

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work site can and will be provided as needed to emergency responders.

- 4. Supervisor Training.** Prior to assignment to supervision of employees working in the heat, training on the following topics shall be provided:
- (A) The information required to be provided to employees in #3, above.
 - (B) The procedures the supervisor is to follow to implement their employer's Heat Illness Prevention Program.
 - (C) The procedures the supervisor is to follow when an employee exhibits symptoms consistent with possible heat illness, including emergency response procedures.

What Does My Agency Need To Do Next:

- 1. Develop a Written Heat Illness Program:** Each employer's written Heat Illness Prevention Program shall contain, at a minimum, the following information:
- ✓ The employer's procedures for complying with the requirements of this standard
 - ✓ The employer's procedures for responding to symptoms of possible heat illness, including how emergency medical services will be provided should they become necessary
 - ✓ The employer's procedures for contacting emergency medical services, and if necessary, for transporting employees to a point where they can be reached by an emergency medical service provider
 - ✓ The employer's procedures for ensuring that, in the event of an emergency, clear and precise directions to the work site can and will be provided as needed to emergency responders.

Note: The measures required here may be integrated into your Agency's Injury and Illness Program.

- 2. Provide Employee and Supervisor Training:** See #3 and #4, above, for the training elements that are required to be addressed.
- 3. Implement the Procedures in Your Agency's Heat Illness Prevention Program**

PLEASE NOTE: This standard is enforceable by the Division of Occupational Safety and Health pursuant to Labor Code sections 6308 and 6317 and any other statutes conferring enforcement powers upon the Division. It is a violation of Labor Code sections 6310, 6311, and 6312 to discharge or discriminate in any other manner against employees for exercising their rights under this or any other provision offering occupational safety and health protection to employees.

Where Can I Get More Information:

- **Guidance for Workers:** <http://www.dir.ca.gov/dosh/guidanceforworkers.pdf>
- **Text of the New Regulation:** <http://www.dir.ca.gov/Title8/3395.html>

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