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PROTECTING WORKERS FROM HEAT STRESS

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The long, hot summer months are upon us...

Did you know that an employer's "duty to provide a safe workplace" under OSHA includes protecting employees from illness caused by heat stress? Heat stroke, heat cramps, heat exhaustion and heat rash are just some of the dangers posed to employees during extreme heat or in direct sunlight. OSHA has been on a campaign for some time now to improve workplace safety as it relates to heat-induced injuries. The federal Occupational Health and Safety Administration even offers an "OSHA Heat Safety Tool" in the form of an app (Android, Blackberry or iPhone) that allows both workers and employers to "calculate the heat index" for a given worksite. The app goes so far as to display the "risk level" for outdoor workers, and employees are encouraged to check it frequently to ensure that they are being adequately safeguarded from illness or injury due to extreme heat.

In some cases, there are simple or readily achievable modifications to work practices that can help minimize the risk of heat-induced illness. These include:

- scheduling frequent rest periods;
- increasing shade;
- providing ample cool water for drinking;
- monitoring weather frequently;
- tweaking work periods to better correspond with cooler weather; and
- training focused on heat illness prevention.

In other cases, specialized personal protective equipment may be warranted to improve worker safety. Obviously, workers in certain fields, such as construction, are at greater risk for heat-related hazards than others.

North Carolina is one of approximately 25 states that have adopted a state-specific, heat stress guidance policy. [North Carolina OSHA's enforcement guidance policy \(Operational Procedure Notice 141\)](#) specifically contemplates inspections at both indoor and outdoor worksites and requires inspectors to review employer plans to prevent heat-related illness.

Perhaps most problematic for employers is the absence of a specific set of OSHA requirements for such plans. This gap results in heat-related illness citations being placed under the dreaded "general duty clause" heading – meaning that inspectors have even more discretion than usual in evaluating compliance. Factors considered in weighing whether an employer is doing enough to protect workers from heat stress include whether the employer has developed a plan to minimize heat stress; whether employees have adequate access to shade and potable water; whether proper training is provided to employees; whether appropriate protective clothing and equipment

is provided; and adequacy of first-aid and emergency response options.

Employers will do well to protect themselves from citations by consulting this [enforcement guidance](#) for conducting heat-related illness inspections. For questions related to this alert, please contact [Steve Parascandola](#).

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