Heat-Related Hazards: Occupational Safety and Health Administration Establishes Enforcement Initiative

Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

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The Occupational Safety and Health Administration ("OSHA") issued a memorandum establishing an Enforcement Initiative to:

. . . prevent and protect employees from serious heat-related illnesses and deaths while working in hazardous hot indoor or outdoor environments. ("Enforcement Initiative")

The Enforcement Initiative is referenced in a memorandum from Kimberly Stille, Acting Director, OSHA Directorate of Enforcement Programs, to the Regional Administrators and State Designees.

OSHA also announced it is undertaking the following to address heat-related hazards:

- Development of a National Emphasis Program on heat inspections
- Initiating a rulemaking process to develop a workplace heat standard

The actions are stated to be part of a Biden-Harris interagency effort addressing "workplace safety, climate resilience, and environmental justice."

The Enforcement Initiative includes actions such as:

- Prioritizing heat-related interventions and inspections of work activities on days when the heat index exceeds 80 ° Fahrenheit
- Encourages employers to implement proactive interventions (i.e., water, rest, shade)
- Acclimatizing new or returning workers

The memorandum encompassing the Enforcement Initiative notes that the United States Department of Labor's Bureau of Labor Statistics cites environmental heat fatalities from 2011 to 2019 average 38 fatalities per year.

OSHA states it has conducted approximately 200 heat-related inspections each year. Heat-related illnesses are stated to occur when the body temperature exceeds 100.4 ° Fahrenheit.

The Enforcement Initiative is stated to apply to "indoor and outdoor work sites where potential heat-related hazards exist."

Typical indoor worksites where heat-related illnesses may occur are stated to include:

- Foundries
- Brick-firing and ceramic plants
- Glass production facilities
- Rubber products factories

- Electrical utilities
- Bakeries
- Confectioneries
- Commercial kitchens
- Laundries
- Food canneries
- Warehouses without adequate climate control
- Chemical plants
- Smelters

Outdoor activities stated to be impacted by heat include:

- Agriculture
- Landscaping
- Construction operations
- Refining gas/oil and well operations
- Asbestos and lead removal
- Waste collection activities
- Package and mail delivery
- Any other activities requiring moderate to high physical exertions or the wearing of heavy or bulk clothing or equipment on a hot day

The Enforcement Initiative includes industries that are stated to have an elevated number of heat-related incidents. It details both inspection procedures and case file documentation for OSHA area offices assessing the potential for heat-related illnesses and deaths at both indoor and outdoor worksites where heat-related hazards may exist on heat priority days.

Also addressed in the Enforcement Initiative:

- Outreach, Compliance Assistance, and Training
- Description of Serious Heat-Related Illnesses and Common Symptoms
- Sample Heat-Related Alleged Violation Description
- Sample Hazardous Alert Letter
- Heat-Related Illness Resources

A copy of the OSHA news release can be found here and the Enforcement Initiative here.