



A STRONG VOICE FOR OREGON'S WORKERS

TO: Interim Oregon OSHA Administrator Louis Savage
FR: Sophie Peters, OR AFL-CIO
RE: Oregon OSHA Extreme Heat Rulemaking Public Comment

February 25, 2022

To Oregon Occupational and Health Safety Administration,

On behalf of the 300,000 members of the Oregon AFL-CIO, I am writing regarding high heat exposure - a grave concern that impacts Oregon workers each summer and has become a fact of life for too many in our state. From lack of access to shade and rest to an unsafe intensity of work created by these conditions, high heat presents a danger that we must take steps to protect against.

As temperatures continue to rise due to climate change, we need heat rules that will protect workers. Since OSHA began its rulemaking process last year, Oregon has unwantedly become the poster child for climate change, making international headlines for our deadly and devastating climate-fueled heat waves and wildfires. Our state experienced at least three triple digit heat domes last summer, including in June 2021, when temperatures reached more than 116 degrees Fahrenheit in some areas. The harm that can occur from these weather events is entirely preventable, so we must create stricter employer guidelines in order to keep workers safe.

Since the beginning of this rulemaking process, we have advocated on behalf of workers and we thank Oregon OSHA for their continued dedication to listening to workers and creating rules that keep people throughout hot conditions. We hope that OSHA will swiftly put new rules into place, however due to the severity of climate change, we ask that protections are strengthened even further.

First, we encourage Oregon OSHA to adopt rules that are based in sound science and public health expertise. This means adopting science-based temperature thresholds that rely on "heat index" as a measure. We ask that protections from extreme heat rely on "heat index" as a measure, and are triggered at 80 degrees F, with high heat procedures triggered at 90 degrees F. We also urge you to maintain requirements to provide workers access to shade or alternative cooling measures and an adequate supply of cool drinking water, and additional paid preventative cool-down breaks in the shade. This is critical to worker health and safety.

Furthermore, we ask Oregon OSHA to eliminate exemptions for certain categories of work. The current draft of the heat rules exempt "light work" from key protections. This exemption is not based in health and safety research and science. The category of "light" is vague and open to interpretation, it fails to recognize that the intensity of work can vary over the course of a shift, and it does not take into consideration the significant impact of sun exposure. All workers should be provided access to shade and water.



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Secondly, we urge OSHA to follow its mandate to protect vulnerable worker communities by ensuring that all affected workers – regardless of workload – are protected. We ask that OSHA maintain requirements that employers must: provide access to shade and water, regular work/rest breaks, heat illness prevention plans and training, and interactive training for supervisors and employees, and observe workers for signs of heat illness or create a mandatory buddy system.

We know that long-term heat exposure can cause serious health problems. Consequently, Oregon OSHA should also require mechanical, indoor cooling at 78F for 100% of labor provided housing occupants because the current proposed rule will not do a sufficient job cooling down workers.

Employers are not necessarily health and safety experts, and are driven to prioritize their bottom line by maximizing work time and profits by minimizing breaks for workers. For the safety of workers, OSHA should eliminate the option for employers to decide whether longer work breaks are allowed. Specifically, we request that OSHA delete Option A and retain Options B and C in the Work and Rest Schedule.

Lastly, it's important that OSHA strengthen requirements to ensure employers have an Emergency Medical Plan in place so that workers are taken care of when they experience a heat-related medical emergency. Without a plan in place, workers will be unnecessarily at risk of not receiving medical care when they have a heat-related medical emergency.

We are grateful for the work that Oregon OSHA has put into these new and improved rules so far, and we urge you to continue to strengthen the regulations with updated language. It is critical that OSHA adopt strong rules without delay and before the next heat and wildfire season puts more Oregon worker lives at risk from extreme climate impacts. We also urge OSHA to help ensure these standards are effective in protecting workers, by prioritizing strong enforcement of the rules. We look forward to continuing to work with the agency to ensure Oregon employers establish and implement a comprehensive heat plan and workers have the protections they need to manage hot temperatures while on the job.