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January 14, 2025

The Honorable Doug Parker
Assistant Secretary of Occupational Safety and Health
U.S. Department of Labor
Washington, DC 20210

Re: Comments on the proposed rulemaking — Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings, Docket No. OSHA-2021-0009, RIN 1218-AD39

Dear Assistant Secretary Parker:

Public Citizen is a national, nonprofit public interest organization with more than 500,000 members and supporters across the country that advocates for public health and safety interests before Congress, the executive branch agencies, and the courts. We thank you for the opportunity to comment on this proposal.

The Occupational Safety and Health Administration (OSHA) has issued a thoughtful and comprehensive proposed rule to protect indoor and outdoor workers from hazardous heat conditions in the workplace (§ 1910.148 Heat Injury and Illness Prevention, or proposed rule). We strongly encourage OSHA to finalize the heat protection rule, as proposed, with the suggested changes described herein, and to do so as soon as possible.

Summary of Specific Improvements That Should Be Made to the Proposed Rule

1) The final rule should include an *Extreme Heat Trigger* when an extreme heat warning is issued for the area where the worksite is located or when the area where the worksite is located is experiencing a heat wave. At the *Extreme Heat Trigger*, additional precautions should be instituted including a minimum 15-minute paid rest break every hour and a mandatory heat safety talk at the beginning of each work shift that includes details of the *Heat Illness Emergency Response Plan*, as described in section (g)(1) of the proposed rule. Supervisors should be given the explicit right to use job rotations, rescheduling of work and work stoppage under the *Extreme Heat Trigger*.
2) The Employer should be required to provide 10-minute breaks every 2 hours when the heat index is at or above the *Initial Heat Trigger* of 80°F.
3) The final rule should provide workers with the explicit right to stop or refuse to work in unsafe heat conditions.
4) The final rule should require indoor workplaces to implement specific engineering controls to maintain indoor heat below 80°F and protect all indoor workers, regardless of job type.
5) The employer should be required to report all heat-related illnesses and injuries, maintain a heat-related incident log, and report all heat-related emergency care to OSHA within 8 hours.
6) The final rule should include stronger protection for workers from employer retaliation when reporting worksite heat heat hazards and rule violations.

Introduction

It's been more than five decades since the National Institute for Occupational Safety & Health, a division of the Centers for Disease Control and Prevention, first recommended that OSHA institute a rule protecting workers from heat stress. Since that time thousands of workers have died of occupational heat stress.[1] And hundreds of thousands more have become ill or injured on the job due to excessive heat.

Heat is the leading weather-related killer, exceeding the lives lost to hurricanes, floods and tornados. It can cause heat illnesses ranging from heat rash to heat exhaustion, heat stroke, and cardiac arrest. The symptoms of heat illness — fatigue, sweating, loss of balance and motor coordination, nausea, fainting, muscle cramps and more — greatly increase the chance of workplace accidents, such as falling off ladders or roofs, or making mistakes in the use of power tools, vehicles or dangerous chemicals. But every workplace illness, injury and fatality caused by heat stress is avoidable, and relatively simple preventative measures have proven extremely effective at protecting workers.

When temperatures soar, the risk of heat-related illness and injury soars as well. The National Weather Service stresses the importance of staying out of the sun, using air-conditioning to cool down, drinking plenty of water, slowing down and taking frequent cool-down breaks, and rescheduling strenuous activities for cooler times of the day.

Unfortunately, workers don't have the power to choose critical actions to protect themselves. They must rely on employers to give them access to these basic life-saving measures. Only a handful of states have workplace heat rules, leaving millions of workers with no protection.[2] Without a protective federal heat rule, employers alone decide when a worker can reduce or eliminate strenuous activities, including when, or if, workers can take breaks. Employers control whether workers have access to cool drinking water and the time to drink it. Employers decide whether to give workers access to shade with simple solutions like erecting open-air tents, tarps or basic structures for respites from the sun. Employers decide whether to alter work schedules to avoid the hottest portions of the day. Employers decide whether to air-condition indoor workspaces or give employees access to air-conditioned break rooms. Employers can even decide whether to equip the workplace with critical supplies, communications systems and personnel trained to respond to a worker facing dangerous overheating. It is essential that employers be required to implement effective prevention protocols to protect workers during extreme heat conditions.

In 2018, Public Citizen, along with more than 100 organizations and workplace safety experts, petitioned OSHA to issue a rule protecting workers from excessive outdoor and indoor heat. In 2025, we are still waiting for this critical protection for workers to be implemented so finalization of a strong proposed rule is urgently needed.

1. Add Extreme Heat Trigger

The proposed heat rule sets an *Initial Heat Trigger* at a heat index of 80°F and a *High Heat Trigger* at a heat index of 90°F. When the workplace temperature exceeds these triggers, employers must put in

[1] *See*, Juley Fulcher, *Boiling Point: OSHA Must Act Immediately to Protect Workers from Deadly Temperatures*, PUBLIC CITIZEN (June 2022), https://www.citizen.org/article/boiling-point/.
[2] *See*, Juley Fulcher, *Scorched States: A Report Card on State Laws Protecting Workers from Heat*, PUBLIC CITIZEN (May 22, 2024), https://tinyurl.com/4xpjznbv. Note that Maryland has instituted a workplace heat rule since publication. COMAR 09.12.32.

place preventative protocols to protect workers, with greater protection at the high heat trigger. However, when temperatures climb into triple digits, the danger to workers increases exponentially. The final heat rule must recognize the critical need for increased worker protections at excessive heat levels.

Extreme Heat

> "If you don't take precautions, you may become seriously ill or even die."

That's the advice the National Weather Service (NWS) gives to individuals facing a heat alert in their local area. It was the advice given to ninety-five percent of the U.S. population in the Summer of 2023, the percent of the population that faced heat alerts raising the alarm of exceedingly dangerous temperatures in their area.[3] The Summer of 2024 was also one of the hottest on record in the United States, with Arizona, California, Florida, Maine and New Hampshire clocking their hottest Summer ever.[4] The Summer of 2024 was followed by the nation's hottest Autumn on record.[5]

The National Weather Service (NWS) Forecast Office works in concert with local partners daily to issue local area excessive heat alerts[6] warning residents of the intense heat and cautioning them to take action to protect themselves. Heat Advisories and Excessive Heat Warnings are generally issued when the heat index is expected to reach criteria defined by the state or local area.[7]

For each extreme heat alert, the public is told that the temperatures in their area will be so hot that they could suffer heat illness or death with even a short period of exposure if they don't take protective measures. The risk to workers is much greater under these circumstances, and the preventative measures needed are significantly greater than the required protocols put in place at the *High Heat Trigger* in the proposed rule.

Heat Waves

Heat waves are multiple days of excessively high temperatures, both during the daytime and at night. There is no single universal definition of a heat wave, but definitions generally incorporate the typical local conditions. The Environmental Protection Agency, for example, operationally defines heat waves as a period of two or more consecutive days when the daily minimum heat index (overnight lows) exceeds the 85th percentile of historical July and August temperatures (1981–2010) for that area.[8]

Evidence shows that heat waves are becoming hotter, longer and more frequent.[9] In 2023, the U.S. experienced the most heat waves since 1936.[10] In June of 2024, more than 100 million Americans were under extreme heat alerts for at least four days in a row.[11] The first excessive heat wave ever

[3] Jessica Conley and Mike Slifer, *Caribou, Maine Ties All Time Record High Temperature*, NEWS CENTER MAINE (June 19, 2020), https://bit.ly/3Wavjep.
[4] *U.S. Sweltered Through Its 4th-Hottest Summer on Record*, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA), (September 10, 2024), https://bit.ly/3W83YcQ.
[5] *Fall 2024 Was Nation's Warmest on Record*, NOAA (Dec 9, 2024), https://bit.ly/3PqBp6H.
[6] *Heat Watch vs. Warning*, NATIONAL WEATHER SERVICE, NOAA, https://bit.ly/3QwFtDX, accessed Oct. 18, 2023.
[7] Compare, for example, the National Weather Service Advisory/Warning Criteria for New York and Pennsylvania (https://bit.ly/4j9pWWT), Illinois (https://bit.ly/4a4MBze), and South Carolina (https://bit.ly/3Wbd20G).
[8] *See, e.g., Climate Change Indicators: Heat Waves*, U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) (accessed on Dec 7, 2024), https://bit.ly/2X7CKYp.
[9] *Id*.
[10] Bruce Shipkowski, *Millions Baking Across the U.S. as Heat Prolongs Misery with Little Relief Expected,* ASSOCIATED PRESS (June 21, 2024), https://bit.ly/4gK6huO.
[11] Isabelle Taft, *Drawn–out Heat Wave Expected to Finally Let Up in Many Parts of the U.S.*, NEW YORK TIMES (June 24, 2024), https://bit.ly/4a6l8gB.

experienced in northeast Maine was documented in June of 2024[12] and rare heat advisories were issued in Lake Tahoe on the border of Nevada and California in July.[13]

The danger of workers experiencing heat-related illness, injury or death are greater during a heat wave. The same heat index experienced on an individual day stresses the body more on subsequent days of a heat wave. When the natural bodily cooling systems are heavily strained on a very hot day, those systems need an extended period to cool down and recover overnight.[14] A home without air-conditioning or adequate ventilation can hinder the necessary bodily cooling, lessening the body's ability to manage heat strain the next day and increasing susceptibility to heat-related illness.[15] Even if worker homes are equipped with air conditioning, heat waves commonly cause power outages and can stress cooling systems to disfunction.[16] The overnight heat may also increase workplace injuries by interrupting sleep and decreasing vigilance the following day.[17] For example, a study of 47,000 workers' compensation claims in Australia between 2002 and 2012 found a 1% increase in all acute injuries that resulted in 10 or more days of absence from work or high medical costs for every 1°C increase in daily minimum temperatures (overnight lows) the night before the injury.[18]

In addition to heat alerts issued based on local criteria, the National Weather Service issues Heat Advisories and Excessive Heat Warnings when the local heat index is expected to reach, respectively, 100°F or 105°F for at least two consecutive days with nighttime temperatures staying above 75°F, allowing some variability based on local temperature norms and the time of year.[19] These thresholds are often lower than the thresholds set by local areas for heat alerts based single-day expected high temperatures, reflecting the increased hazard during heat waves.

- Due to the critical risk of heat-related illness, injury and death on extreme heat days and during heat waves, the required worksite prevention measures must be more protective than proposed requirements under the *High Heat Trigger*. For this reason, an *Extreme Heat Trigger* should be incorporated into the final heat protection rule and defined in Section (b) as follows:

  "Extreme heat trigger means: 1) a Heat Advisory or Excessive Heat Warning has been issued by the National Weather Service for the county or area where the worksite is located based on local criteria for a single-day high heat index; or 2) a Heat Advisory or Excessive Heat Warning has been issued by the National Weather Service under criteria for a consecutive-day high heat index."

[12] Juan Declet-Barreto, *Danger Season 2024: Deadly Heat Waves, Wildfires, Hurricanes and Flooding Show How Climate Crisis Advances*, UNION OF CONCERNED SCIENTISTS (Nov 20, 2024), https://bit.ly/3C1covH.
[13] *Persistent Heat Wave in the U.S. Expected to Shatter New Records as It Bakes West and Swelters in East,* ASSOCIATED PRESS (July 7, 2024), https://bit.ly/4h6FClj.
[14] Glen P. Kenny and Ryan McGinn, *Restoration of Thermoregulation After Exercise*, 122 JOURNAL OF APPLIED PHYSIOLOGY 933–944 (April 11, 2017), https://bit.ly/3fatYyt.
[15] Sean R. Notley, Robert D. Meade, Andrew W. D'Souza, Brian J. Friesen and Glen P. Kenn, *Heat Loss Is Impaired in Older Men on the Day after Prolonged Work in the Heat*, 50(9) MEDICINE AND SCIENCE IN SPORTS AND EXERCISE 1859-1867 (September 2018), https://bit.ly/3NeUo0Y; Robert D. Meade, Andrew W. D'Souza, Lovely Krishen and Glen P. Kenny, *The Physiological Strain Incurred During Electrical Utilities Work Over Consecutive Work Shifts in Hot Environments: A Case Report,* 14(12) JOURNAL OF OCCUPATIONAL AND ENVIRONMENTAL HYGIENE 986–994 (November 2017), https://bit.ly/3l8PvdL; Zachary J. Schlader, Deanna Colburn and David Hostler, *Heat Strain Is Exacerbated on the Second of Consecutive Days of Fire Suppression*, 49(5) MEDICINE AND SCIENCE IN SPORTS AND EXERCISE 999-1005 (May 2017), https://bit.ly/3wxU8n8.
[16] *See, e.g.*, *Heat Season Power Outages*, CLIMATE MATTERS (Aug 21, 2024), https://tinyurl.com/3erve6v8.
[17] Judith A. McInnes, Muhammad Akram, Ewan M. MacFarlane, Tessa Keegel, Malcolm R. Sim and Peter Smith, *Association Between High Ambient Temperature and Acute Work-related Injury: A Case-crossover Analysis Using Workers' Compensation Claims Data*, 43(1) SCANDINAVIAN JOURNAL OF WORK, ENVIRONMENT AND HEALTH 86-94 (2017), https://bit.ly/2ZNFxXR.
[18] *Id.*
[19] *Id.*

- Additionally, a new Section (g) should be added to the final rule — redesignating Sections (g-k) of the proposed rule accordingly — that incorporates the required controls in Sections (e) and (f) and identifies additional required controls including:
  - Employees should be provided a minimum 15-minute paid rest break every hour;[20]
  - Breaks should take place in an air-conditioned location or in a shaded area utilizing misting fans;
  - All efforts should be made to ensure employees are not alone at a worksite;
  - Pre-shift safety talks should be accompanied by easily-carried written information in the employee's preferred language that lists:
    - the signs and symptoms of heat-related illness,
    - strategies for keeping cool and actions to be taken immediately upon experiencing symptoms of heat-related illness, and
    - the details of the employer's *Heat Illness and Emergency Response Plan* as defined in currently designated Section (g) of the proposed rule.

2. Require Rest Breaks at Initial Heat Trigger

As noted in Section V.C.III.A. *Rest Breaks* of OSHA's supplementary information accompanying the proposed heat rule, there is substantial evidence demonstrating that rest breaks are an essential and very effective means of protecting workers from heat-related illness and injury.[21] The proposed heat rule establishes important requirements for break areas in both outdoor and indoor workspaces under Sections (e)(3) and (e)(4), respectively, at the *Initial Heat Trigger* of 80°F (heat index). However, the proposed rule does not set minimum break requirements for workers at the *Initial Heat Trigger*. This is an important oversight as research and experience consistently demonstrate the increased risk of heat-related illness and injury when temperatures exceed 80°F.[22]

Under Section (e)(8) of the proposed rule, employers must only provide paid rest breaks "if needed to prevent overheating." However, there is no guidance on how that determination should be made. This lack of clarity leaves employers guessing and workers unprotected. In order for a heat rule to be effective, it must be easy for employers to understand and implement.

- To ensure workers are protected from heat-related illness and injury, the final rule should require a minimum 10-minute paid rest break every two hours at the *Initial Heat Trigger*.

3. Include Right to Stop Work

The final rule should provide workers with the explicit right to stop work as soon as they experience signs of heat-related illness. Though it's an important safeguard, the right for workers to refuse unsafe work under the OSH Act is limited, requiring workers to demonstrate immediate risk of death or serious harm.[23] However, it isn't easily applied to heat-related illness, which can quickly escalate into a life-threatening situation and must be caught early and treated effectively.

- Workers who experience the early signs and symptoms of heat-related illness must be explicitly given the right to stop work and take a rest and water break in a cool room or shady location.

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[20] This is consistent with heat rules adopted in Oregon and Maryland, though both set the extreme trigger temperature at a heat index of 100ºF. Or. Admin. R. 437-002-0156; OAR 437-004-1131; COMAR 09.12.32.
[21] 89 Fed. Reg. 70749 (Aug 30, 2024).
[22] *See, e.g.*, Zaw Maung and Aaron W. Tustin, *Heat Death Line: Proposed Heat Index Alert Threshold for Preventing Heat Related Fatalities in the Civilian Workforce*, 30(2) NEW SOLUTIONS: A JOURNAL OF ENVIRONMENTAL AND OCCUPATIONAL HEALTH POLICY (June 17, 2020), https://doi.org/10.1177/1048291120933819.
[23] *Workers' Right to Refuse Dangerous Work*, OSHA (accessed Jan 9, 2025), https://www.osha.gov/workers/right-to-refuse.

Below is the language we recommend, used in the ASSP/ANSI 10.50-2024 standard to prevent heat-related illness in construction and demolition operations. Accordingly, we recommend the addition of the following paragraph as Section f(3), renumbering proposed paragraphs (3-5) appropriately:

"(3) *Stop work authority.* Employees shall be permitted to refuse to do work or enter a location because of a potentially unsafe condition related to heat-related illness, injury or death. The employer shall abate the unsafe condition prior to resuming work activities."

4. Increase Protection for Indoor Workers

Indoor heat is a significant problem in a wide variety of workplaces from factories to restaurants. Indoor heat-related complaints made to OSHA are at least as common as outdoor heat complaints.[24] The effect of heat on the body is the same no matter what the source of heat is or in what environment it takes place.

The proposed heat rule includes protections for indoor workers, but those protections are unnecessarily limited by the exclusion of certain workplaces from application of the proposed rule. Specifically, Section (a)(2)(iv) excludes workplaces with air-conditioning that consistently keep the ambient temperature of work areas below 80°F — they are not subject to the rule at all. Rather than excluding these employers entirely from the scope of the rule, indoor workplaces should be proactively required to keep the ambient temperature below 80°F. Additionally Section (a)(2)(vi) limits the scope of the rule by excluding employers whose workers engage in sedentary work activities. Despite the increased dangers of environmental heat with moderate or heavy work activities, excessive heat still poses a danger of heat-related illness or injury with light work activities if the temperature is high enough. Once again, it is inappropriate to specifically exclude these workplaces from application of the rule.

- We recommend the following improvements to the rule with respect to indoor workplaces:
  - Remove paragraphs (a)(2)(iv) and (a)(2)(vi) from the scope and application of the final rule.
  - Amend Section (e)(5) to the following:

    "(5) I*ndoor work area controls*. The employer must utilize engineering controls to maintain indoor worksite temperatures at or below 80°F. If the worksite temperature exceeds 80°F, all requirements of the *Initial Heat Trigger,* as delineated in Section (e), shall apply to the indoor worksite. In order to maintain the worksite temperature below 80°F, the employer must provide one or more of the following at each work area identified in paragraph (d)(3)(i) of this section:

    (i) Increased air movement, such as fans or comparable natural ventilation, and, if appropriate, de-humidification;
    (ii) Air-conditioned work area; or
    (iii) In cases of radiant heat sources, other measures that effectively reduce employee exposure to radiant heat in the work area (e.g., shielding/barriers, isolating heat sources)."

[24] *See, e.g.*, Juley Fulcher, *Boiling Point: OSHA Must Act Immediately to Protect Workers from Deadly Temperatures*, PUBLIC CITIZEN (June 2022), https://www.citizen.org/article/boiling-point/.

5. Add Heat-Related Illness and Injury Reporting Requirements

As OSHA acknowledges in Section III.B. *Need for Proposal* of the Supplementary Information accompanying the proposed standard, work-related heat illnesses are vastly under-recorded and underreported.[25] In 2021–2022, the Bureau of Labor Statistics reported only 5,177 cases of "exposure to environmental heat" resulting in days away from work, restricted activity, or job transfer (DART cases) nationwide out of the early 3.4 million DART injury cases. But analyses of workers' compensation records combined with micro-climate data indicate that as many as 600-2,000 workplace heat fatalities and 170,000 heat-related injuries occur each year.[26]

Currently there are no requirements under OSHA's injury and illness record-keeping regulations for employers to record heat-related illnesses or injuries that only require first aid or temporary short-term job restrictions that last less than one day.[27] These cases are never captured. And the only heat-related illnesses or injuries that must be reported to OSHA are those that result in death or inpatient hospitalization.[28]

- The final standard should be expanded and strengthened in the following key ways to capture the full extent of work-related illnesses and inquiries and improve protections for workers:
  - Require all employers covered by the standard to maintain a heat incident log as part of the *Heat Illness And Emergency Response Plan* to record all heat-related incidents, (not limited to cases that meet the current criteria for an OSHA recordable heat illness or injury) that are identified by the employer or reported by a worker or their representative. The log should be in writing, with workers and their representatives having the right to access and copy the log. A heat incident log will assist employers and workers in identifying heat related hazards and conditions and taking action to institute measures to prevent them in the future.
  - Include a definition and criteria for what constitutes a work-related heat illness or injury that must be recorded on the OSHA 300 log that: a) is broad and covers all heat-related illnesses outlined in Section IV. Health Effects of the Supplementary Information[29] accompanying the proposed heat standard; b) presumes that these conditions require medical treatment, not simply first aid; and c) requires all workplace injuries occurring when conditions exceed the *Initial Heat Trigger* be recorded as potential heat-related injuries and include the temperature or heat index at the time of injury.
  - Require that all work-related heat cases that require emergency care, including IV hydration, be reported to OSHA within eight (8) hours as part of OSHA's severe injury reporting regulation.

6. Provide Stronger Whistleblower Protections

Research indicates that retaliation against workers by employers is increasing,[30] with 79% of U.S. employees reporting experiencing some form of retaliation at work.[31] Between fiscal years 2022 and 2023, OSHA findings of retaliation climbed 30%.[32] When employees fear they will face negative

[25] 89 Fed. Reg. 70702 (Aug 30, 2024).
[26] *See*, Juley Fulcher, *Boiling Point: OSHA Must Act Immediately to Protect Workers from Deadly Temperatures*, PUBLIC CITIZEN (June 2022), https://www.citizen.org/article/boiling-point/.
[27] *See*, 29 CFR Section 1904.7.
[28] *See*, 29 CFR Section 1904.39(a)(2).
[29] 89 Fed. Reg. 70708 (Aug 30, 2024).
[30] Jonathan H. Schaefer, *OSHA Retaliation Complaints Rising – Have You Checked Your Anti-Retaliation Program Lately?*, INDUSTRIAL SAFETY AND HYGIENE NEWS (Oct 14, 2021), https://tinyurl.com/4j7fvppe.
[31] Caitlynn Sendra and Stacy Collett, *How to Offset the Rise in Workplace Retaliation*, SAP (Oct 22, 2023), https://bit.ly/4gI9LOA.
[32] *OSHA Whistleblower Statistics FY 2018 – FY 2023*, OSHA (accessed Jan 9, 2025), https://tinyurl.com/49dntv2n.

consequences for reporting health and safety hazards, it can deter them from speaking up, even when hazards have the potential to cause serious injuries or illnesses.

Such fears are heightened for Black, Brown, immigrant, and low-wage workers, who experience both higher levels of workplace illness and injury[33] and higher rates of retaliation.[34] For these groups who have unfortunately historically been faced with lower social and institutional power, the potential for retaliation can have a particularly potent chilling effect on reporting safety and health hazards on the job.[35]

- Given the well-documented prevalence of health and safety related retaliation, we recommend OSHA develop an enforceable provision that expressly prohibits employer retaliation for workers who assert their rights under this rule. Such a provision will provide an effective means for protecting affected workers when they seek to access these rights, over and above other protections that may be otherwise available to them under the law.

Conclusion

The proposed Heat Illness and Injury Prevention standard represents a significant advancement in worker health and safety. It is critically important that a final rule be issued as soon as possible, maintaining the strength and comprehensiveness of the proposal. Additionally, the above suggestions for improvement will strengthen the final rule to achieve the much-needed protection of workers from heat hazards.

Thank you for the opportunity to comment on this important worker health and safety issue. For questions, please contact Juley Fulcher, worker health and safety advocate in Public Citizen's Congress Watch division, at jfulcher@citizen.org.

[33] Caroline K. Smith, Sara Wuellner and Jennifer Marcum, *Racial and Ethnic Disparities in Workers' Compensation Claims Rates*, 18(1) PLoS One e0280307 (Jan 17, 2023), DOI: https://doi.org/10.1371/journal.pone.0280307; Seth A. Seabury, Sophie Terp, Leslie I. Boden, *Racial and Ethnic Differences in the Frequency of Workplace Injuries and the Prevalence of Work Related Disability*, 36(2) National Library of Medicine 266-273 (Feb 1, 2017), DOI: 10.1377/hlthaff.2016.1185; Adam R. Young, Daniel R. Birnbaum, A. Scott Hecker and Craig B. Simonsen, *Fatality Rates From Occupational Safety and Health Hazards Higher Among Minorities*, Seyfarth Workplace Safety and Environmental Law Alert (Nov 22, 2022), https://tinyurl.com/5fur9766; Stephen Franklin, *With Few Workplace Safety Protections, Latino Worker Deaths Are Surging*, In These Times (April 26, 2024), https://tinyurl.com/bdcwxjta;
[34] Shedra A. Snipes, Sharon P. Cooper and Eva M. Shipp, *"The Only Thing I Wish I Could Change is That They Treat Us Like People and Not Like Animals": Injury and Discrimination Among Latino Farm Workers*, Journal of AgroMedicine (Oct 17, 2016), https://doi.org/10.1080/1059924X.2016.1248307; Doug Parker, The *Past and Future of Workplace Safety for Black Americans,* US Department of Labor Blog (February 17, 2023), https://tinyurl.com/bdfch76d.
[35] *See, e.g.*, Tanya L. Goldman, *The Labor Standards Enforcement Toolbox*, Center for Law and Social Policy (Apr 2019), https://tinyurl.com/mr3mz248.