

OSHA General Duty Clause

Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.



Introduction: Heat Illness can be deadly. Every year, thousands of workers become sick from exposure to heat, and some even die. Heat illnesses and deaths are preventable. Employers are responsible for providing workplaces that are safe from excessive heat. Changes to the Cal/OSHA Heat Illness Prevention regulation (**T8 CCR 3395**) are expected to go into effect on **May 1, 2015**.

Changes to the regulation:

(b) Definitions: Shade - Blockage of direct sunlight is sufficient is when objects do not cast a shadow in the area of blocked sunlight. Shade may be provided by any natural or artificial means that does not expose employees to unsafe or unhealthy conditions and that does not deter or discourage access or use. Workers should not encounter any obstacles or hazardous or unreasonably unpleasant conditions while moving towards the shade or resting in the shade.

(c) Provision of Water: Water must be fit to drink (i.e., potable, fresh, pure) and free from odors that would discourage workers from drinking the water. If an employer supplies individual water containers they must be clean, and a source of potable water (e.g., a municipal water source) must be readily available. The water must be suitably cool during hot weather the water must be cooler than the ambient temperature but not so cool as to cause discomfort. Must be located as close as practicable to where employees are working.

(d) Access to Shade: Shade shall be present when the temperature exceeds 80 degrees Fahrenheit. Shade must still be available even if temperatures do not exceed 80 degrees. The amount of shade present shall be at least enough to accommodate the number of employees on recovery, rest periods, or meal periods. An employee who takes a preventative cool-down rest shall be monitored & be encouraged to remain in the shade; and shall not be ordered back to work until any signs or symptoms of heat illness have abated.

(e) High-Heat Procedures: At 95 degrees employer shall ensure effective employee observation/ monitoring. Supervisor or designee can observe 20 or fewer employees, or can use a buddy system, or maintain regular communication with a lone employee. The employer must authorize one or more employees to call for emergency medical services, and allow other employees to call emergency services when no authorized employee is available. Employers must provide one 10-minute preventative cool-down rest period every 2 hours.

(f) Emergency Response Procedures: Emergency medical services must be provided as quickly as possible if an employee suffers heat illness. Employers must be prepared to transport employees safely to a place where they can be reached by an emergency medical provider. Supervisors and employees must be trained to recognize the signs and symptoms of heat illness, take steps immediately to prevent the progression of heat illness, provide basic first aid, obtain emergency medical services, and not allow an employee with signs or symptoms of heat illness to be left alone or sent home without being offered onsite first aid or provided with emergency medical services.

(g) Acclimatization: All employees shall be closely observed by a supervisor or designee during a heat wave. An employee who has been newly assigned to a high heat area shall be closely observed by a supervisor or designee for the first 14 days of the employee's employment. Acclimatization is fully achieved in most people within 4 to 14 days of regular work involving at least 2 hours per day in the heat.

(h) Training: Employers must train all employees, both supervisory and nonsupervisory, on the policies and procedures established to comply with this regulation. Cal/OSHA requires employers to maintain records of the training required in this subsection, as specified in the California Code of Regulations, title 8, section 3203 (Injury and Illness Prevention Program).

(i) Heat Illness Prevention Plan: The employer must develop, put in writing, and implement effective procedures for complying with the requirements of this standard. Employees and supervisors must be trained in these procedures so they understand and can implement the employer's plan. The Heat Illness Prevention Plan must be written both in English and in the language understood by the majority of employees.

For more details on the Heat Illness Regulation go to <https://www.dir.ca.gov/DOSH/HeatIllnessInfo.html>