



Pacific Maritime Association

Accident Prevention Department

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SAFETY BULLETIN 02-2016

May 06, 2016

California Standard for Heat Illness

Notice on California Heat Illness Regulations

As a reminder, the California Office of Administrative Law approved the Occupational Safety & Health Standards Board's amendments to the heat illness regulation. The amended California regulations went into effect on May 1, 2015.

The 2015 changes effect potable water, shade requirements, preventative cool-down, high heat procedures and emergency preparedness. Employers should ensure that they have updated their heat illness prevention plans and train their employees for compliance with the 2015 regulations.

The full regulations are located at: <http://www.dir.ca.gov/Title8/3395.html>

Important 2015 Changes

Potable Water Requirements

The heat illness regulation previously stated that employers had to provide employees with access to potable drinking water that was clean and maintained through individual dispensers, faucets, or drinking fountains. The regulation also provided that where the employer cannot otherwise continuously supply or replenish employees' water, that it shall provide water in sufficient quantity at the beginning of the shift. The employer must provide each employee with a minimum of one quart of water per hour for the entire shift. The amendment now also states that the water must be fresh, pure, suitably cool, and provided free of charge to employees. Additionally, the water must be located as close as practicable to the areas where employees are working, unless the employer can demonstrate infeasibility.

Shade

The regulations state that shade must not "deter or discourage access or use." The requirement means that workers should not encounter any obstacles or hazardous conditions while moving towards the shade or resting in the shade.

Prior to the update, employers were obligated to provide shade to at least 25% of the employees only when the temperature exceeded 85 degrees.

Now the amendment requires that the employer provide shade when the temperature exceeds 80 degrees and so that it can accommodate the total number of employees on recovery or rest periods. The employer must provide enough shade during meal breaks to accommodate the total number of employees that remain outside. In addition, the shaded area has to be located as close as practicable to the areas that employees are working. The new rules require that enough shade be provided to accommodate all of the employees who are on such a break at any point in time. This does not mean that employers are required to provide enough shade to accommodate all of the employees on the shift at the same time. Employers may, for example, rotate the breaks among employees. They may also erect additional structures on an as-needed basis.

Preventative Cool-Down Rest Periods

The 2015 updated heat illness regulations require employer to allow and encourage their employee to take a minimum of a five minute cool-down rest period if the employee states they need to protect themselves from overheating. An important update is that employers are required to monitor and ask employees taking rest periods whether they are experiencing symptoms of heat illness. Employers are prohibited from ordering employees to work until signs or symptoms of heat illness have been abated.

Acclimatization

Under the old heat illness regulations, acclimatization was only required only as an element of training. Now, employers are to assign supervisors to closely observe and monitor employees during a heat wave. A heat wave is defined as temperatures over 80 degrees Fahrenheit or anytime the temperature is ten degrees higher than the average high daily temperature in the preceding five days. Employers must closely monitor a new employee for the first 14 days of his or her employment in a high heat area.

Training

In addition to all of the previous training requirements, the 2015 amendment now specifically requires employers to train employees in:

- The employer's responsibility to provide water, shade, cool-down rests, and access to first aid
- The employees' right to exercise their rights under this standard without retaliation
- First aid and emergency response procedures
- Concepts and methods of acclimatization

Written Heat Illness Plan

Employers must develop, put in writing, have available for employees, and implement effective procedures for complying with the requirements of this heat illness regulation.

Under the 2015 amended regulations, your heat illness plan must include:

- Procedures for providing sufficient water
- Procedures for providing access to shade
- Emergency response procedures
- Acclimatization methods

Overview

Employers should have reviewed and amended their heat illness prevention plans to reflect the updated 2015 potable water requirements, shade requirements, preventative cool-down rest periods, high heat procedures, acclimation, and training policies and procedures. Employers will have to create procedures to monitoring employees taking cool-down rest periods.

References:

Title 8 Article 3395 Heat Illness Prevention

<http://www.dir.ca.gov/Title8/3395.html>

Guidance for Employers and Employees on the New Requirements

<http://www.dir.ca.gov/dosh/documents/Heat-Illness-Prevention-Regulation-Amendments.pdf>