

IT'S GETTING HOT IN HERE

OSHA's Heat Stress National Emphasis Program

With summer here, temperatures across the country are rising. While many people have the option to turn on the air conditioning to stave off the heat during the workday, other employees don't have the ability to do this and must withstand the intensity of hot temperatures, often while performing physically intense activities. **Extreme heat can create dangerous working conditions, with workers in construction and agriculture at higher risk to the dangers of heat exposure. Indoor workers in improperly climate-controlled environments are also at risk.**

Research proves that heat can exacerbate working conditions to the point that it endangers workers. The [U.S. Department of Labor](#) reports that from 2011 to 2019, 344 worker-related deaths in the U.S. were due to environmental heat exposure. Some workplace safety experts believe that the actual number of heat-related deaths might be much higher or misreported as another cause since heat negatively impacts existing health problems, such as heart disease, kidney failure, and asthma.

With [18 of the last 19 years](#) being the hottest on record, the Occupational Safety and Health Administration (OSHA) decided to launch a national emphasis program (NEP) in April 2022 to protect workers from heat illness and injuries. The program covers 70 high-risk industries, including, but not limited to, the following industries: construction, farming and agriculture, manufacturers, merchant wholesalers, warehousing and storage automotive, couriers and delivery services, restaurants, and facility support services. All industries are listed in [Appendix A of the NEP](#). Now more than ever before, federal inspectors can stop by work sites unannounced to ensure that workers are safe from heat exposure. So, what does this mean for employers?

Though OSHA's new NEP related to heat illnesses and injuries isn't a formalized workplace standard, OSHA did begin its rulemaking process to implement a federal heat illness prevention rule by issuing an Advance Notice of Proposed Rulemaking in October 2021. This NEP is a way for OSHA to improve enforcement efforts in the short term while continuing long-term work to establish a formal rule.



Goals set forth by OSHA's NEP related to heat illnesses and injuries include:

- OSHA will prioritize on-site inspections for complaints and all severe injury reports related to heat hazard. Additionally, if employees see OSHA action for any other type of hazard, OSHA will likely also inspect for heat hazards.
- Under the NEP, OSHA will conduct inspections of establishments on a list generated by computer software on days when the heat index is expected to be 80°F or higher. Heat index, also referred to as apparent temperature, is given in degrees Fahrenheit and is a measure of how hot it really feels when relative humidity is factored in with the actual air temperature.
- OSHA will also coordinate with the Department of Labor's Wage and Hour Division (WHD) by encouraging WHD to make referrals to OSHA when the weather is hot.
- OSHA will conduct follow-up inspections with employers it previously inspected and cited for heat-related hazards to make sure they implement proper heat safety measures.



What employers can expect during a heat inspection - a brief summary:

- A review of your OSHA 300 Injury and Illness log and 301 Incident Reports for entries that indicate heat-related illness.
- A record review of emergency room visits and ambulance transports related to heat exposure.
- Compliance and safety health officers (CSHOs) will interview workers for symptoms of heat-related illnesses (headaches, dizziness, fainting, etc.).

- CSHOs will determine if an employer has a heat illness and injury program that properly addresses heat exposure. **At a minimum, injury prevention programs need to address the following areas:**
 - How you'll monitor ambient temperature and levels of work exertion
 - How and where employees can access cool water
 - Your plans to provide hydration breaks and other scheduled breaks
 - How and where employees can access shade
 - Your procedures for acclimatizing new workers and workers returning from a break to the heat
 - The use of a buddy system to have employees monitor each other for symptoms of heat illness
 - Any other controls you'll use to limit employee exposure to heat
 - Training of employees, accessibility to first aid, emergency personnel contact information, and ways to report heat illness
- The inspection process will document conditions relevant to heat exposure, such as the heat index, weather data from the day, relative humidity, cloud cover, and more.
- CSHOs will also identify activities related to heat hazards, including potential sources of heat-related illnesses, the use of heavy clothing or bulky equipment, estimated workload exertions, and duration of exposure.

If you're an employer in a warmer climate, you might be concerned about these new expectations. Fortunately, there are **steps you can take to be prepared for any OSHA inspections**, but most importantly meet your moral obligation to keep your workers safe from extreme heat.



- Conduct a job hazard analysis to determine potential exposures to heat illness, then implement an injury prevention plan. Communicate and train employees on all components of this plan.
- Document all your efforts to protect your employees from the heat, such as your prevention plan, trainings, and any other communications.
- Encourage employees to drink at least one cup of water every 15 to 30 minutes. Make cool fluids readily available for them to access throughout the day.
- Remind your employees that hydration starts at home, and that lifestyle habits can impact their ability to tolerate the heat.

- Train workers about the hazards of heat exposure and how to prevent heat illness.
- Give employees the opportunity to build a tolerance for working in the heat. This process is known as acclimatization.
- Provide shaded or cool areas for breaks and monitor employees for signs of heat illness.
- [Download and use the OSHA-NIOSH Heat Safety Tool app](#) to help you plan work activities based on how hot it will feel throughout the day. The app features real-time heat index and hourly forecasts specific to your location alongside occupational safety recommendations from OSHA.
- Refer to [this resource page](#) for more tools and insights from OSHA.

Keeping up with OSHA's rules and regulations is difficult because it's a complicated landscape that covers a lot of ground.

If you need help creating a heat injury and illness prevention program and want to know how you can be prepared for potential OSHA inspections, [connect with us today](#). Our risk mitigation team can conduct mock inspections and work with you to have the right measures in place to protect your business and your employees.



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