



General Assembly

Substitute Bill No. 830

January Session, 2025



AN ACT ESTABLISHING SAFETY STANDARDS TO PREVENT HEAT-RELATED ILLNESS IN WORKPLACES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2025*) (a) As used in this section:

2 (1) "Drinking water" means potable water that is suitable to drink and
3 is a temperature of not more than seventy-seven degrees;

4 (2) "Emergency medical service" means the provision of care by a
5 medically trained person, including, but not limited to, services
6 provided by a hospital, clinic, ambulance, disaster car or rescue vehicle;

7 (3) "Exertional heat stroke" means a life-threatening medical
8 condition characterized by high core body temperature and central
9 nervous system dysfunction, occurring during or after strenuous
10 physical activity in hot and humid conditions;

11 (4) "Heat illness" means a serious medical condition that results from
12 the body's inability to cope with a particular heat load, including, but
13 not limited to, heat cramps, heat exhaustion, heat syncope, heat stroke
14 and exertional heat stroke;

15 (5) "Shade" means a natural or artificial blockage of direct sunlight;
16 and

17 (6) "Temperature" means the dry bulb temperature in degrees
18 Fahrenheit, as measured by a thermometer in an area where there is no
19 shade.

20 (b) (1) When the outdoor temperature exceeds eighty degrees, an
21 employer who employs individuals in positions where a majority of the
22 work is done in an outdoor setting, including, but not limited to,
23 positions in the agricultural, construction or landscaping industry, shall
24 establish and maintain one or more shade areas at all times employees
25 are present at an outdoor work site. Such shade areas shall be (A) open
26 to the air or have mechanical ventilation for cooling, (B) located as close
27 as practicable to areas where employees are working, and (C) large
28 enough to accommodate the number of employees taking breaks or
29 meal periods so that each such employee can sit in a normal posture,
30 fully in the shade, without having physical contact with another
31 employee.

32 (2) When the outdoor temperature is less than eighty degrees, an
33 employer subject to the provisions of subsection (b) of this section shall
34 (A) establish and maintain shade areas in accordance with the
35 provisions of subdivision (1) of this subsection, or (B) allow employees
36 reasonable access to shade located at the outdoor work site upon an
37 employee's request.

38 (3) An employer in the agricultural industry may satisfy the
39 requirements of this subsection by implementing alternative cooling
40 measures other than the shade areas pursuant to subdivision (1) of this
41 subsection, including, but not limited to, the use of misting machines, if
42 such employer can demonstrate that such alternative cooling measures
43 are as effective as utilizing the shade areas pursuant to subdivision (1)
44 of this subsection.

45 (c) An employer subject to the provisions of subsection (b) of this
46 section shall provide a sufficient supply of drinking water at no cost to
47 its employees so that each employee is able to consume not less than
48 thirty-two fluid ounces of water per hour for the duration of such

49 employee's shift, except if an employee is required to wear personal
50 protective equipment, an employer shall provide an amount of such
51 drinking water sufficient for such employee to consume not less than
52 eighty ounces of water per hour. If such drinking water is not plumbed
53 or otherwise continuously supplied, an employer may provide such
54 supply of drinking water at the beginning of each employee's shift or in
55 smaller quantities throughout an employee's shift.

56 (d) (1) Any employer subject to the provisions of subsection (b) of this
57 section shall provide reasonable breaks in the shade areas required
58 pursuant to subdivision (1) of subsection (b) of this section to
59 employees. Such breaks shall be permitted as necessary in order to allow
60 an employee's body temperature to cool down and prevent overheating
61 and shall be not less than five minutes in duration, not including the
62 time the employee needs to access shade.

63 (2) When an employee takes a break pursuant to this subsection, an
64 employer shall monitor such employee for signs or symptoms of heat
65 illness. If an employee is showing signs or experiencing symptoms of
66 heat illness, an employer shall allow the employee to remain in the
67 shade until such signs or symptoms subside, and, if necessary,
68 implement the emergency response procedures required pursuant to
69 subsection (e) of this section, except if an employee is showing signs or
70 experiencing symptoms of exertional heat stroke, an employer shall
71 immediately implement the emergency response procedures required
72 pursuant to subsection (e) of this section.

73 (e) An employer subject to the provisions of subsection (b) of this
74 section shall develop and implement effective emergency response
75 procedures for employees showing signs or experiencing symptoms of
76 heat illness. Such emergency response procedures shall, at a minimum,
77 include (1) first aid measures, including, but not limited to, whole body
78 cooling measures for employees showing signs or experiencing
79 symptoms of exertional heat stroke, and (2) the implementation of an
80 emergency medical plan to ensure the rapid provision of medical
81 services to employees showing signs or experiencing symptoms of heat

82 illness, including, but not limited to, transportation of such employee if
83 the outdoor work site is not in proximity to emergency medical services.

84 (f) An employer subject to the provisions of subsection (b) of this
85 section shall implement additional high heat practices when the
86 temperature at the outdoor work site equals or exceeds ninety degrees.
87 Such practices shall, to the extent possible, include:

88 (1) Ensuring that employees at such work site are able to contact a
89 supervisor by maintaining effective communication by voice or an
90 electronic device. If an employer chooses to utilize an electronic device,
91 including, but not limited to, a cell phone or text messaging device, such
92 employer shall ensure reception in the area is reliable;

93 (2) Monitoring employees for signs and symptoms of heat illness by
94 designating a supervisor, or a supervisor's designee, to observe twenty
95 or fewer employees or by implementing a mandatory buddy system or
96 other effective means of observation;

97 (3) Designating one or more employees at such work site to call for
98 emergency medical services when needed and allowing other
99 employees to call for emergency medical services when such designated
100 employees are unavailable;

101 (4) Reminding employees throughout the work shift to drink plenty
102 of water and to take breaks pursuant to subsection (d) of this section;

103 (5) Implementing a schedule to provide employees a preventative
104 cool-down rest period of not less than ten minutes every two hours.
105 Such rest period may be provided concurrently with a meal or rest
106 period required under state or federal law; and

107 (6) Holding meetings before the commencement of a work shift to
108 review the high heat practices required pursuant to this subsection.

109 (g) An employer subject to the provisions of subsection (b) of this
110 section shall develop and implement effective acclimatization practices
111 for (1) new employees assigned to work at an outdoor work site where

112 the temperature exceeds eighty degrees, and (2) employees returning to
113 an outdoor work site where the temperature exceeds eighty degrees
114 after not working at such work site for fourteen or more consecutive
115 days, in order for such employees to gradually adapt to such working
116 conditions. Such practices shall start such employees at twenty per cent
117 of an employee's normal work load and increase such work load by
118 twenty per cent each day until one hundred per cent of such employee's
119 work load is reached.

120 (h) The provisions of this section shall not apply to an employee who
121 drives an air-conditioned or fan-ventilated vehicle and may experience
122 some heat exposure for duties conducted outside such vehicle, provided
123 such employee has unrestricted access to such vehicle.

124 Sec. 2. (NEW) (*Effective October 1, 2025*) (a) For the purposes of this
125 section:

126 (1) "Drinking water" means potable water that is suitable to drink and
127 is a temperature of not more than seventy-seven degrees;

128 (2) "Emergency medical service" means the provision of care by a
129 medically trained person, including, but not limited to, services
130 provided by a hospital, clinic, ambulance, disaster car or rescue vehicle;

131 (3) "Exertional heat stroke" means a life-threatening medical
132 condition characterized by high core body temperature and central
133 nervous system dysfunction, occurring during or after strenuous
134 physical activity in hot and humid conditions;

135 (4) "Heat illness" means a serious medical condition that results from
136 the body's inability to cope with a particular heat load, including, but
137 not limited to, heat cramps, heat exhaustion, heat syncope, heat stroke
138 and exertional heat stroke; and

139 (5) "Temperature" means the dry bulb temperature in degrees
140 Fahrenheit, as measured by a thermometer in an area where there is no
141 shade.

142 (b) (1) When the outdoor temperature exceeds eighty degrees, an
143 employer shall measure the temperature at an indoor work area that
144 does not have effective or functioning air conditioning and make a
145 record of such measurement.

146 (2) The records required pursuant to subdivision (1) of this subsection
147 shall include the temperature, date, time and specific location of all
148 measurements. Any records required pursuant to this section shall be
149 maintained by an employer for a period of at least one year and made
150 available to employees upon request.

151 (3) An employer shall take measurements required pursuant to
152 subdivision (1) of this subsection again when the temperature is
153 expected to be ten degrees higher than the previous measurement and
154 at times when employee exposure to heat illness is expected to be the
155 greatest.

156 (c) At times when the temperature in such indoor work areas
157 described in subsection (b) of this section equals or exceeds eighty-two
158 degrees, an employer shall:

159 (1) Establish and maintain one or more cool-down areas during times
160 when employees are present at such indoor work area, except when the
161 employer can demonstrate that the establishment of such cool-down
162 areas is impracticable. Such cool-down area shall (A) maintain a
163 temperature of less than eighty-two degrees, (B) be located as close as
164 practicable to areas where employees are working, and (C) be large
165 enough to accommodate the number of employees taking breaks or
166 meal periods;

167 (2) Provide a sufficient supply of drinking water at no cost to its
168 employees so that each employee is able to consume not less than thirty-
169 two fluid ounces of water per hour for the duration of such employee's
170 shift, except if an employee is required to wear personal protective
171 equipment, an employer shall provide an amount of such drinking
172 water sufficient for such employee to consume not less than eighty
173 ounces of water per hour. If such drinking water is not plumbed or

174 otherwise continuously supplied, an employer shall provide such
175 supply of drinking water at the beginning of each employee's shift or in
176 smaller quantities throughout an employee's shift; and

177 (3) Provide reasonable breaks in the cool-down areas required
178 pursuant to subdivision (1) of this subsection. Such breaks shall be
179 permitted as necessary in order to allow an employee's body
180 temperature to cool down and prevent overheating and shall be not less
181 than five minutes in duration, not including the time the employee
182 needs to access such cool-down area. When an employee takes a break
183 pursuant to this subdivision, an employer shall monitor such employee
184 for signs or symptoms of heat illness. If an employee is showing signs
185 or experiencing symptoms of heat illness, an employer shall allow the
186 employee to remain in the cool-down area until such signs or symptoms
187 subside, and, if necessary, implement the emergency response
188 procedures established required pursuant to subsection (e) of this
189 section, except if an employee is showing signs or experiencing
190 symptoms of exertional heat stroke, an employer shall immediately
191 implement the emergency response procedures established pursuant to
192 subsection (e) of this section.

193 (d) An employer shall monitor the temperature of an indoor work
194 area for indoor work areas described in subsection (a) of this section and
195 implement control measures (1) when such temperature equals or
196 exceeds eighty-seven degrees, or (2) where individuals employed at
197 such indoor work area are required to wear clothing that restricts heat
198 removal or work in a high radiant heat area, when such temperature
199 equals or exceeds eighty-seven degrees. Such control measures may
200 include:

201 (A) Implementing engineering controls, including, but not limited to,
202 air conditioning, cooling fans, cooling mist fans, evaporative coolers,
203 natural ventilation or local exhaust ventilation, in order to reduce and
204 maintain the temperature of such indoor work area to (i) below eighty-
205 seven degrees, or (ii) where individuals employed at such indoor work
206 area are required to wear clothing that restricts heat removal or to work

207 in a high radiant heat area, below eighty-two degrees;

208 (B) Implementing administrative controls in order to limit exposure
209 to heat illness, including, but not limited to, rotating employees,
210 scheduling work earlier or later in the day, implementing rest schedules,
211 reducing work intensity or speed, reducing work hours, using relief
212 workers and changing required work clothing; or

213 (C) Providing personal heat-protective equipment, including, but not
214 limited to, water-cooled garments, air-cooled garments, cooling vests,
215 wetted overgarments and heat-reflective clothing.

216 (e) An employer subject to the provisions of subsections (b) to (d),
217 inclusive, of this section shall develop and implement effective
218 emergency response procedures for employees showing signs or
219 experiencing symptoms of heat illness. Such emergency response
220 procedures shall, at a minimum, include procedures for:

221 (1) Ensuring that employees at the work site can contact a supervisor
222 by maintaining effective communication by voice or an electronic
223 device. If an employer chooses to utilize an electronic device, including,
224 but not limited to, a cell phone or text messaging device, such employer
225 shall ensure reception in the area is reliable; and

226 (2) Responding to employees showing signs and symptoms of heat
227 illness, which shall include, but need not be limited to, (A) first aid
228 measures, including, but not limited to, whole body cooling measures
229 for employees showing signs or experiencing symptoms of exertional
230 heat stroke, and (B) implementing an emergency medical plan to ensure
231 the rapid provision of medical services to employees showing signs or
232 experiencing symptoms of heat illness.

233 (f) An employer subject to the provisions of subsections (b) to (d),
234 inclusive, of this section shall develop and implement effective
235 acclimatization practices for (1) new employees (A) assigned to work at
236 indoor work areas where the temperature exceeds eighty-seven degrees,
237 (B) required to wear clothing that restricts heat removal at indoor work

238 areas where the temperature exceeds eighty-two degrees, or (C)
239 assigned to work in a high radiant heat area that exceeds eighty-two
240 degrees, and (2) employees returning to the working conditions
241 described in subparagraphs (A) to (C), inclusive, of subdivision (1) of
242 this subsection after not working for fourteen or more consecutive days,
243 in order for such employees to gradually adapt to such working
244 conditions. Such practices shall start such employees at twenty per cent
245 of an employee's normal work load and increase such work load by
246 twenty per cent each day until one hundred per cent of such employee's
247 work load is reached.

248 Sec. 3. (NEW) (*Effective October 1, 2025*) (a) An employer subject to the
249 provisions of section 1 or 2 of this act shall provide each employee with
250 training on heat illness and the employer's procedures regarding heat
251 illness. Such training shall include, but need not be limited to,
252 information regarding:

253 (1) The environmental and personal risk factors for heat illness,
254 including the added burden of heat load on the body caused by exertion,
255 clothing and personal protective equipment;

256 (2) The employer's procedures for complying with the provisions of
257 sections 1 and 2 of this act, including the employee's right to exercise
258 such employee's rights under such sections without retaliation;

259 (3) The importance of frequent consumption of up to thirty-two
260 ounces of water per hour when the work environment is hot and the
261 employee is likely to be sweating more than usual in the performance of
262 such employee's duties;

263 (4) The concept, importance and methods of acclimatization;

264 (5) The different types of heat illness, the common signs and
265 symptoms of heat illness and appropriate first aid or emergency
266 responses to different types of heat illness;

267 (6) The importance of employees immediately reporting to the

268 employer signs and symptoms of heat illness in such employee or in
269 other employees;

270 (7) The employer's emergency response procedures for responding to
271 signs and symptoms of possible heat illness, including how emergency
272 medical services will be provided should such services become
273 necessary; and

274 (8) The employer's emergency response procedures regarding the
275 contacting of emergency medical services and, if necessary, the
276 transportation of employees to a location where such employee is
277 reachable by an emergency medical service provider.

278 (b) In addition to the training required pursuant to subsection (a) of
279 this section, an employer shall provide training to supervisory
280 employees on the following:

281 (1) Supervisor-specific procedures required to implement the
282 provisions of sections 1 and 2 of this act;

283 (2) Supervisor-specific procedures required when an employee
284 exhibits signs or reports symptoms consistent with possible heat illness,
285 including emergency response procedures required pursuant to
286 subsection (e) of section 1 of this act and subsection (e) of section 2 of
287 this act; and

288 (3) How to monitor weather reports and how to respond to heat
289 advisories.

290 Sec. 4. (NEW) (*Effective October 1, 2025*) The provisions of sections 1
291 and 2 of this act shall not apply to employees responsible for emergency
292 operations directly involving the protection of life or property or the
293 restoration of essential services, including, but not limited to, instances
294 when an employee is engaged in evacuation services, rescue services,
295 emergency medical services, structural firefighting, law enforcement
296 services and utility repair.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2025</i>	New section
Sec. 2	<i>October 1, 2025</i>	New section
Sec. 3	<i>October 1, 2025</i>	New section
Sec. 4	<i>October 1, 2025</i>	New section

Statement of Legislative Commissioners:

In Section 1, in Subsec. (b), "provide" was changed to "establish and maintain" for consistency with other provisions of the Subsec. and "pursuant to" was changed to "in accordance with the provisions of" for consistency with standard drafting conventions; in Subsec. (c), "provided" was changed to "except" for consistency with standard drafting conventions; Subsecs. (d) and (e) were rewritten for consistency with standard drafting conventions; in Subsec. (g)(2), "such work site" was changed to "an outdoor work site where the temperature exceeds eighty degrees" for clarity; in Section 2, in Subsec. (b)(2), "temperature," was inserted before "date" for clarity; Subsecs. (c) to (e), inclusive, were rewritten for clarity; in Subsec. (f)(2), "such working conditions" was changed to "the working conditions described in subparagraphs (A) to (C), inclusive, of subdivision (1) of this subsection" for clarity; in Section 3, in Subsec. (a), Subdivs. (7) and (8) were rewritten for clarity; and in Section 4, "directly involved in" was changed to "directly involving" for clarity.

LAB *Joint Favorable Subst.*