



Following delays due to the COVID-19 pandemic, the California Division of Occupational Safety and Health (Cal/OSHA) has finally revisited its [indoor heat illness prevention standard](#) (the Standard).

The Standard applies to all indoor work areas where the temperature equals or exceeds 82 degrees Fahrenheit when employees are present. "Indoor" refers to a space that is under a ceiling or overhead covering that restricts airflow and is enclosed along its entire perimeter by walls, doors, windows, dividers, or other physical barriers that restrict airflow, whether open or closed.

The Standard also applies to indoor work areas when:

- The temperature equals or exceeds 87 degrees Fahrenheit when employees are present.
- The heat index equals or exceeds 87 degrees Fahrenheit when employees are present.

- Employees wear clothing that restricts heat removal, and the temperature equals or exceeds 82 degrees Fahrenheit.
- Employees work in a high radiant heat area, and the temperature equals or exceeds 82 degrees Fahrenheit.

Significantly, the Standard does not apply to places of employment where employees telework from a location of their choice.

## **Requirements Under the Indoor Heat Illness Prevention Standard**

- Employees must have access to potable drinking water—fresh, pure, suitably cool water provided free of charge. The water must be located as close as practicable to the areas where employees are working and in indoor "cool-down areas."
- Employees must have access to "cool-down areas." A "cool-down area" is defined as an indoor or outdoor area that is blocked from direct sunlight, shielded from other high radiant heat sources, and either open to the air or provided with ventilation or cooling.
- Employers must use control measures to minimize the risk of heat illness. This includes engineering controls such as air conditioning; administrative controls such as rotating employees, scheduling work earlier or later in the day, or changing required work clothing; and personal heat-protective equipment such as water-cooled garments, cooling vests, or heat-reflecting clothing.
- Employers must implement effective emergency response procedures.
- Employers must closely observe employees during acclimatization. Specifically, all employees must be closely observed during a heat wave if no engineering controls are utilized. Further, any new hire must be closely observed for the first 14 days of employment during a heat wave.
- Employers must provide effective training to all employees regarding exposure to heat illness.
- Employers can integrate the measures into an existing injury and illness prevention program, an existing heat illness prevention plan, or create a separate policy.

## **What's Next for the Standard?**

The proposed indoor heat illness prevention standard is now in a 45-day public comment period. The Cal/OSHA Standards Board will hold a public hearing on May 18, 2023.

Employers should seek the advice of counsel if they have any questions about the Standard or need assistance updating or preparing policies.

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