

DRAFT MEETING SUMMARY

CAL/OSHA INDOOR HEAT ILLNESS PREVENTION STAKEHOLDER MEETING OCTOBER 26, 2006 OAKLAND, CALIFORNIA

Attendees

John Barnato, California Restaurant Association
Barry Bedwell, California Grape and Tree Fruit League
Kevin Bland, Residential Framing Contractors Association
Jodi Blom, California Framing Contractors
Carl Borden, California Farm Bureau Federation
Michael Boyle, Bimbo Bakeries USA
Bo Bradley, Associated General Contractors of California
Dan Bradway, CC Myers
Floyd Bryan, International Longshore and Warehouse Union, Local 13
Jack Connors, Toll Brothers
Tom Daly, Hilton Hotels and California Hotel and Lodging Association
Marcia Dunham, Pacific Gas & Electric Company
Paul Ferroni, Pacific Coast Producers
Marti Fisher, California Chamber of Commerce
Jim Fitzpatrick, Motion Picture Association of America
Judi Freyman, Organization Resources Counselors
Roy Gabriel, California Farm Bureau
Luisa Gratz, International Longshore and Warehouse Union, Local 26
Willie Guerrero, Kahn, Soares, & Conway Law Firm
Terese Hagerty, State Compensation Insurance Fund
Carol Hardy, AT&T
Derrick Jarvis, E&J Gallo Winery/Gallo Glass
Steve Johnson, Associated Roofing Contractors of the Bay Area Counties
Paul Jordan, NBC Universal
Anne Katten, California Rural Legal Assistance Foundation
Elizabeth Katz, California Department of Health Services, HESIS
Dan Leacox, Greenberg Traurig LLP
Annmarie Liermann, Kelly, Herlihy, & Klein Law Firm
Andrew Majewski, University of California, Davis
Etta Mason, Southern California Edison
Marcie McClean, Labor @ Large
John McCullough, ABD Insurance Brokers
Eugene McMenamin, Atkinson, Andelson, Loya, Ruud, & Romo Law Firm
Rob Neenan, California League of Food Processors
Deborah Perez, Communication Workers of America, Local 9423
Kristin Power, California Grocers Association
Guy Prescott, International Union of Operating Engineers, Local 3
Janice Prudhomme, California Department of Health Services
Bobbie Rabinowitz, WorkSafe
Danielle Rau, California Farm Bureau
Randy Riffe, Communication Workers of America, Local 9412
Brenda Roach, Unger Construction
Mary Lynn Rogers, Federal Express

Mercedes Roldan, UNITE HERE Local 75
Howard Rosenberg, University of California Extension
Marcia Ruiz, California Rural Legal Assistance
Libby Sanchez, Barry Broad Law Office
Lee Sandahl, International Longshore and Warehouse Union
Jason Schmelzer, California Manufacturers and Technology Association
Fran Schreiber, WorkSafe
Frank Seccret, International Brotherhood of Boilermakers, Local 549
Thomas Sherwood, medical wellness consultant
Jeremy Smith, California Labor Federation
Jerel Steckling, Hilmar Cheese
Kevin Thompson, Cal-OSHA Reporter
Beth Treanor, Phylmar Regulatory Roundtable
Chris Walker, California Chapter, Sheet Metal and Air Conditioning Contractors' National Association
Bruce Wick, California Professional Association of Specialty Contractors

Cal/OSHA Staff

Len Welsh, Acting Chief, DOSH
Tom Mitchell, Cal/OSHA Standards Board
Bob Barish, DOSH Research & Standards Unit,
Amalia Neidhardt, DOSH Research & Standards Unit
Mike Horowitz, DOSH Research & Standards Unit

KEY POINTS OF DISCUSSION

There was general agreement that training and education for both employees and supervisors is an important element to the effectiveness of a heat illness prevention program. Labor representatives felt that additional prevention measures should be required by a Cal/OSHA regulation to apply in higher risk environments and situations based on a temperature trigger and possibly other environmental or work factors. Employer representatives objected that such an approach would be overly complicated compared to what had been promulgated to protect outdoor workers and would require burdensome levels of workplace monitoring to determine where the regulation applied.

Employer representatives said that consultative assistance and application of the existing general requirements for an injury and illness prevention program should be sufficient response to the numbers of serious indoor heat illness incidents reported to the Division, and that additional regulations for prevention of heat illness in indoor workplaces would be overly burdensome.

There was general agreement on the importance of training and education in assuring adequate water consumption for heat illness protection, but also that employers are not in a position to compel employees to consume particular quantities of water. Labor representatives said that by itself training in the importance of water consumption for heat illness prevention is not sufficient. They said that to be truly effective in getting employees to drink the quantities of water needed to maximize protection from heat illness, training must be reinforced and supported by consistent employer action to make water immediately available in the workplace and to provide time for its frequent consumption, as exemplified in the discussion by two employer's descriptions of their companies' procedures.

An employer representative asked how a possible regulation would apply to employers with employees working in air-conditioned offices who would not usually be expected to be exposed to significant risk of heat illness. A labor representative suggested that such workplaces would probably only need to be addressed to the extent of measures to assure timely and effective response to air-conditioning system outages during hot weather.

One employer representative stated, and others appeared to agree, that if training requirements for heat illness prevention indoors are promulgated, they should be consistent with the requirements contained in Title 8 section 3395 for outdoor workers, so that employers would not face having to provide different training depending on where an employee works, or worse, two different sets of training for those employees whose jobs involve work both indoors and outdoors.

At the end of the meeting, in response to a question about possible modification of section 3203, a labor representative said that the broad effectiveness of the requirement for an injury and illness prevention program should not be compromised by adding requirements for specific problems such as heat illness.

MEETING SUMMARY

Len Welsh welcomed attendees and opened the meeting by noting that it is intended as an initial meeting of stakeholders to start inquiry into the need for, and possible elements of, a regulation for prevention of heat illness in indoor workplaces. He noted that the Division had committed in 2005, during the process of developing a regulation for heat illness in outdoor workplaces, that once that work was completed it would look at the problem of heat illness indoors. That was not to say, necessarily, that the debate on heat illness in outdoor workplaces is over, especially in light of the numbers of possibly serious incidents that had been reported to the Division in outdoor workplaces in summer 2006. However, he said the focus of this meeting was on heat illness risk in indoor workplaces. Introducing staff to present information on heat illness case statistics, he said the number of serious incidents reported to the Division shows that indoors, as well as outdoors, work in heat is a significant workplace hazard and one that is likely to increase if the trend continues of episodes of severe hot weather as had occurred in 2005 and 2006.

Bob Barish briefly reviewed the numbers of serious incidents of possible heat-related illness reported to the Division from 1995 to 2005. It was noted that there are undoubtedly other incidents of heat illness occurring, these being the number of reports for only the most serious cases, required to be reported directly to the Division under the provisions of Title 8 section 342. Reporting is required for serious work-related injuries and illnesses involving fatality, amputation, any serious degree of permanent disfigurement, or hospitalization of more than 24 hours for other than medical observation.

Bob Barish reported that from 1995 to 2004 there had been a total of 31 such cases reported to and investigated by the Division. Industry details for these cases were as follows: agriculture 18 cases (10 fatal), construction 9 cases (2 fatal), wildland fire fighting 2 (both fatal), and manufacturing 2 (both fatal). Bob Barish noted that among these incidents one of the manufacturing cases was indoors, apparently from ambient rather than process heat, while the rest were in outdoor workplaces.

Bob Barish then reviewed the numbers of heat incidents reported to the Division in 2005 when there had been a dramatic increase associated with a period of sustained high heat in July of that year. The 24 reports of serious incidents of heat illness reported to the Division in 2005 approached the number of incidents reported in the previous 10 years (31 noted above). Details for the 24 cases in 2005 were as follows: agriculture 9 cases (7 fatal), construction 7 cases (4 fatal), other industries 8 cases (1 fatal). Bob Barish said that all of the workplaces for these incidents were outdoors, with the "other industries" category being public safety, transportation, and other service employers. He said that a memorandum dated February 17, 2006 providing additional details on the incidents in 2005 is available on the Internet (www.dir.ca.gov/oshsb/heatillnessinvestigations.pdf).

Bob Barish said that as of the date of the meeting, about 70 incidents of possible serious heat-related illness had been reported to the Division, but that since the investigations of these incidents were still open, more detailed information was not available. These included both indoor and outdoor cases. [NOTE: The number for possible heat-related serious accident reports to the Division of 70 reported in the meeting was found subsequently to include about 30 planned and complaint inspections. As of November 28, 2006, there had been a total of approximately 37 possible heat-related serious accident reports filed with the Division, including 14 fatalities.]

Amalia Neidhardt reported briefly on seven possible heat-related incidents in indoor workplaces in 2006, which included two fatalities. She said that all of these cases were still being investigated by the Division, so only basic information could be provided. Workplaces with possible indoor heat cases to date in 2006 investigated by the Division have included glass manufacturing with hot process exposure, food processing but away from hot processing operations, work in a turkey house, carbon black manufacturing with hot process exposure, and warehousing and food service. The two fatal incidents occurred in warehousing and carbon black manufacturing.

Libby Sanchez asked if the Injury and Illness Prevention Program requirements of Title 8 section 3203 included any specific requirements related to prevention of heat illness. Len Welsh responded that this was a good question, and explained that while section 3203 does not refer to heat illness specifically it contains requirements that are directly relevant to its prevention such as for hazard identification and evaluation, hazard correction, accident/illness investigation, and employee training. He said the key to applying section 3203 is the requirement that the program for injury and illness prevention must be "effective."

Len Welsh noted that the numbers of possible heat incidents being investigated by the Division discussed above were only the most serious cases that employers felt might meet the requirements for reporting to the Division. He said that many less serious episodes of heat illness, and possibly some serious incidents as well, undoubtedly go unreported.

Elizabeth Katz asked if episodes of heat illness where employees are exposed to hot conditions while operating or working in a motor vehicle are regarded by the Division as being indoor or outdoor cases. Amalia Neidhardt responded that they are generally considered to be outdoor cases unless there is a compelling reason to view them otherwise.

Bob Barish then presented a summary of statistics from the Workers Compensation Information System (WCIS). The WCIS is operated by the Division of Workers Compensation in the Department of Industrial Relations and is a database of claims filed for workers compensation insurance. It represents only claims filed, not necessarily adjudicated. He said that the number of claims for injury code 32, "heat prostration," had been steady at about 350 per year for each of the years 2000 through 2004. He said the number of claims reported in the system jumped to 488 in 2005, and was on track to exceed 700 in 2006 with 678 currently listed as having been filed. He said it seemed reasonable to believe that these increases in claims filed could be accounted for at least in part by the heat episodes in July 2005 and July 2006. Jason Schmelzer said that his experience handling claims for workers compensation insurance made him skeptical of the value of this type of data. He said that workers compensation claims information, processing, and classification is notoriously unreliable. Bob Barish acknowledged that the WCIS numbers had their limitations. However he said they are the information that is available and that while they may not provide complete information he said it appeared reasonable to conclude that the significant increases in claims filed in 2005 and 2006 probably reflected the summer episodes of hot weather in those years.

Luisa Gratz said that injury and illness statistics are inevitably limited in their completeness and accuracy because many workers when they experience mild or moderate heat illness may not even recognize it as such, or if they do they may not report it to their supervisors or file a workers compensation insurance claim. She said that most workplaces where members of her union are found probably have injury and illness prevention programs but that most do not address the heat illness risk and generally training has not been provided. She said that in many workplaces there are limitations on how often employees can take the time to drink water, and that warehouses often work on a piece-rate basis putting workers and supervisors under immediate pressure to minimize rest and time for drinking water. She said she was concerned that with the episodes of unusually extreme or sustained hot weather in the past two years, and general agreement on the reality of climate change, if not its cause, the risk of heat illness will only increase. She said that it may take different approaches to different types of workplaces to address the problem of heat illness, for example that the risk to workers in office environments is different than that faced by warehouse employees doing physical work.

Bob Barish suggested that there was probably agreement in the room with the comment of Luisa Gratz that different approaches may be needed to prevent heat illness in different types of indoor environments.

Libby Sanchez said that the United Food and Commercial Workers had surveyed its workplaces. She provided a handout with estimates from that survey of the numbers of workers in different industries who may be exposed to heat illness risk indoors.

Jason Schmelzer reiterated that there is not a uniform solution to heat illness risk for all workplaces. He said that section 3203 was enough to address the problem. He urged the Division not to over-regulate by adding another regulation to those that are already in effect related to workplace safety and health. Fran Schreiber acknowledged that there was going to be a basic disagreement between employers and organized labor on the need for a new regulation to address heat illness in indoor workplaces. She said that relying on section 3203 would not be sufficient to address heat illness risk indoors. She asked Len Welsh if there is a letter or some other document indicating that a decision had been made, or would be made with certain triggering events, to establish a regulation for heat illness prevention indoors. Len Welsh responded that the Division needs to make a decision as with outdoor heat illness whether to move ahead. He said that he hoped to be able to move ahead on a regulation, if possible, with a consensus among labor and employers as he felt that created an environment for better compliance and cooperation. But he also noted that the outdoor regulation was prompted by the effects of the heat episode of 2005, and that at the very least the Division wanted to explore the issues so that it is prepared to move quickly in the event of a similar occurrence with indoor heat episodes.

Fran Schreiber said if the Division decides to develop a regulation for heat illness it could help to get closer to consensus by developing a matrix of operations or exposures and the prevention measures required for each, thus reflecting the sentiment that different situations present different levels of risk and so would be expected to require different steps for prevention based on risk level. She alluded as did Luisa Gratz to the office environment being low risk in most cases and therefore possibly being excluded from regulation altogether, while there should be substantial requirements for industrial processes with major heat sources. Len Welsh agreed that tailoring requirements to different operations or risk exposure levels as could be illustrated by a matrix could be a good approach. He said that the safety professionals in the room presumably already use this approach when advising employers, ie. that different safety measures should be used for different levels of risk. He suggested that in hot process industries such as glass manufacturing and foundries, there is probably already a workplace culture in place to assure that heat illness prevention measures are taken such as frequent consumption of water and attention to acclimatization status. Len Welsh said he thought the issue with a new regulation for indoor heat would probably be less about what measures should be taken and more about the procedures that should be required to ensure that they are implemented.

Len Welsh went on to acknowledge the concern of Jason Schmelzer that section 3395 for outdoor workplaces did impose some new requirements on employers, but he said that the requirements are fairly simple and the regulation is short and easy to read. He said the problem was not as Jason had suggested that there are too many regulations, but rather that there are too many regulations that may be difficult to understand. Jason Schmelzer responded that the problem of additional regulations impacts small businesses particularly hard as they do not have the staff resources to keep up with them and so a consultative approach was the best way to address the risk of heat illness in indoor workplaces in California.

Derrick Jarvis said that particularly with the events of 2005, outdoor heat illness risk had been shown to be a problem of sufficient magnitude to warrant a regulation as had been done. He said however that he did not believe that the risk of heat illness in indoor workplaces was sufficient to warrant a specific regulation as was being discussed.

Len Welsh noted that over 140 non-occupational heat deaths, mostly among elderly residents living alone, had been associated with the weeklong episode of extreme in July 2006. He said that similar statistics were not available for the July 2005 heat wave. He said the 2006 non-occupational fatalities gave an idea of the possible magnitude of the increased risk in the workplace. He said that the Division could not be complacent in the face of apparently increasing summertime temperatures, whatever their cause. He said that before summer 2007 something would have to be in place to address indoor heat risk, that business as usual in the face of the events of 2005 and 2006 would not be acceptable.

Barry Bedwell said he thought that section 3395 for outdoor workplaces was a good thing with its basic requirements for water, shade, and employee training. He said he thought the increase in 2006 in reported serious incidents and

workers compensation claims filing could reflect greater awareness of the problem. He said that since shade and water supply are not issues in indoor workplaces the key to prevention there would be training and information for employees and employers. He thought the IIP Program requirements were sufficient to address the problem. Len Welsh asked Barry Bedwell if he thought obtaining employer compliance with training in heat should be approached through a new regulation or Division enforcement policy. Barry Bedwell reiterated his belief that the IIP Program was sufficient to address training for heat illness. Len Welsh said in response that suggests a need for the Division to let employers know what training will be regarded as sufficient.

Luisa Gratz echoed that training was important and said that the need for a regulation did not suggest employers as a group were not concerned about safety. She said that consultative assistance can be helpful, but that if there is no regulation in place requiring employers to take at least minimal steps for prevention then there is no clear basis for such assistance. Libby Sanchez said that the labor unions that are the clients of her law firm feel strongly that a regulation is needed for indoor workplaces. She said the IIP Program requirement by itself is too vague, not sufficiently specific or informative on what needed to be done to prevent heat illness. She said she took offense at the notion that there were not sufficient numbers of heat illness cases indoors to warrant establishment of a regulation to address it.

Marti Fisher said that she did not want to see a big new regulatory burden imposed on employers. She said that even if a new regulation was adopted, if an employer is not aware of the risk it will not do any good. Bob Barish asked her if the development and presence of a regulation would not increase employer awareness. She said it would not, and said further that section 3395 was a large new regulatory burden for employers.

Frank Seccret described the risks faced by boilermakers, particularly during emergency repair operations. He said that temperatures can be 100 °F on the floor of boiler facilities and members of his union sometimes work high above the floor where the temperatures are also much higher. He said that little or no precautions are generally taken by the employers, especially under the pressure of emergency repairs. He said that currently employees are left to decide for themselves when they are at risk and need a break from the heat. He said that a regulation was needed to set minimum standards for preventive measures. He agreed with other speakers that employee training is important, but also felt that other requirements are needed.

Bob Barish asked Derrick Jarvis to describe heat illness prevention measures taken in his company's bottle manufacturing operations. Derrick Jarvis responded that the operation and heat exposures are continuous. He said the locations have programs to develop and maintain employee acclimatization to heat. He said that supervisor training is key, particularly in terms of recognition of early stage signs and symptoms of heat illness. He said that his company is using the supervisor training elements of section 3395 for both indoor and outdoor operations. He said that water coolers are available immediately in the workplace and workers are allowed continuous access to water. He said that when outside temperatures are anticipated to reach 100 °F, heat wave precautions are put into effect including increased focus on awareness of prevention and attention to possible symptoms of heat illness and provision of sports drink in addition to water.

Bob Barish asked if anyone disagreed that supervisor training is central to the effort to prevent heat illness. Luisa Gratz said with piece work pressure on both supervisors and workers, sometimes employees are not allowed to take time to drink water.

Steve Johnson said that regulation or assurance of water consumption by employees is difficult. Jason Schmelzer said that, for example, in contrast to checking on compliance with hard hat use, monitoring water consumption is much more difficult. Eugene McMenamin said that current requirements for a morning and afternoon break and lunch period are sufficient to allow for water consumption for heat illness prevention. He said that an employer insisting on employee water consumption for heat protection would be an infringement on employee privacy. Bo Bradley said that the key to assuring water consumption is employee training in its importance in heat illness prevention.

Floyd Bryan agreed that employers cannot force employees to drink water. He said that the approach taken at Derrick Jarvis' company of making water as available as possible sounds best. But he said that while that company

is apparently aware of the problem and actively addressing it, a regulation is needed to force or encourage employers who are not as conscientious or aware of the hazard posed to employees to take similar measures

Lee Sandahl gave an example of a successful water program for automobile unloaders from ships which combines ready water availability with training and regular reminders.

Barry Bedwell said that it's not possible to force employees to drink water. He agreed that training is the key to sufficient water consumption.

Jerel Steckling said that at his company in the central valley, bottled water is provided to mobile employees such as maintenance mechanics who at times may not otherwise be near a source of water, and that when they are working in higher, and therefore hotter, locations in the facility they come down to the ground level about every hour to refill their water supply.

Anne Katten said that beyond just providing information to employees on the importance of water consumption, it is essential that employers not send a mixed message on water consumption by allowing production pressures or piece work arrangements to discourage taking time to drink water frequently when needed for heat illness prevention. Libby Sanchez said the measures described by Derrick Jarvis and Jerel Steckling are examples of employers giving a consistent message on water through both education and easy availability including allowance of time for frequent water consumption.

Tom Mitchell said that the Standards Board was currently looking at the water regulations in Title 8 in terms of revising them to clearly allow provision of single-use personal bottles of water. Anne Katten said that if this is done it needs to retain the existing requirements for sanitation of water supplies and containers.

Bob Barish returned to the earlier suggestion of Fran Schreiber that a matrix be developed. Bob Barish asked if this was a matrix to illustrate exposure risk in different operations as has been suggested in another committee (flavor hazards) or a matrix to illustrate the requirements for different situations, conditions, or operations. Fran Schreiber said it was the latter.

Carl Borden said that section 3395 takes the opposite approach with one set of requirements for all employers regardless of operations, situation or conditions. He asked why a different approach should be taken for indoors. Fran Schreiber said that reflecting its nature as politically based, section 3395 is inadequate and does not include elements sought by labor representatives. Anne Katten said that in contrast to outdoors, it is more feasible to manage exposure to heat indoors. Carl Borden disagreed. Barry Bedwell said that a regulation with trigger levels as proposed by Fran Schreiber would be too complicated. He said that the approach of section 3395 with a wide scope of application was not political but practical. Jason Schmelzer and Dan Leacox both said that a regulation with triggers for different requirements would be too difficult with so many different conditions, microclimates, etc.

Continuation of the meeting after a lunch break was discussed. Labor representatives wanted to continue the discussion after lunch. Bob Barish said that Amalia Neidhardt would resume the meeting as chair after lunch with a discussion of possible specifics of a requirement for training.

Return from lunch break

Beth Treanor spoke first saying that training and outreach to employers are both important. She said that most of her clients' employees work in offices with air-conditioning and wanted to know how a regulation might apply to them. Luisa Gratz said that even with air conditioning in extreme heat conditions as occurred in July 2006 it can be too hot for comfort. Beth Treanor asked then what about where it is not too hot for comfort. Bob Barish proposed that it be stipulated for the moment to facilitate further discussion that a regulation for indoor workplaces would not include offices where the air-conditioning is functioning properly. Fran Schreiber expressed agreement with this provided that it would be required that there is a mechanic in the building, or a system in place to obtain response, to correct air-conditioning malfunctions or break downs.

Jim Fitzpatrick said that it is important to focus on health and safety rather than comfort which is another issue.

Roy Gabriel said that in agriculture, some employees work both indoors and outdoors on the same or different days. He said that if a regulation was adopted that included a requirement for training, he could not support it if it had requirements different than those in section 3395. He said he did not want to see inconsistent or different training requirements.

Elizabeth Katz suggested instead of a trigger level for different requirements the idea of regulatory safe harbor levels of temperature(s), which would then leave the option to the employer if they wanted to monitor their work environment to determine when additional steps were needed, or simply comply with all requirements all the time if they chose.

Chris Walker said that he supported the simpler approach taken in section 3395 with its unlimited scope of application and a single level of requirements for all employers and conditions. He said that environmental monitoring can be very difficult and he could not support any regulation which included environmental triggers.

Bob Barish asked those expressing concern with the potential complexity of temperature monitoring and trigger levels if they would not just forego monitoring if the requirements triggered were easy to comply with. They generally answered that they would always have to monitor to know when different requirements applied and they did not want to have to do that.

Liz Katz responding said that her proposal of a “safe harbor” allowed for the option not to monitor. She said that as with Permissible Exposure Limits (section 5155) if the hazard is not present monitoring is not required, and at least the absence of serious heat hazard is generally easily detected.

Bob Barish asked Fran Schreiber and Anne Katten if they could agree with the regulatory “safe harbor” concept, which made monitoring at the option of the employer if they chose to comply with all requirements. They said they could not agree with this approach, they felt that employers should be monitoring for heat exposures at least at a basic level.

Bob Barish asked Anne Katten to explain a bit more on the “matrix” concept. Anne Katten responded that she was not necessarily talking about the ACGIH approach which is based on work level and acclimatization status, with use of protective clothing as an additional factor. She said that would be too complicated for a regulation. Fran Schreiber said her general concept was a broad minimal requirement for all workplaces, for example that could provide protection for employees where the air-conditioning is not working. She said the next level could require just employee training, and then a third level where the hazard is more severe requiring more control measures.

Roy Gabriel asked Fran Schreiber if her concept would require temperature monitoring at every work station. She said that if it were a hot process situation where a whole area is continuously hot and control measures are constantly needed then detailed monitoring should not be necessary. But she said that where the heat was primarily from ambient conditions then it might be necessary to monitor to detect significant changes over time, for example at the start of a heat wave, that might not be immediately recognized as being hazardous. Roy Gabriel concluded from this that her concept of requirements with trigger levels would require temperature monitoring in many indoor workplaces. Fran Schreiber acknowledged that it would.

Anne Katten said that just putting a thermometer on the wall is not very burdensome. Bob Barish asked Anne Katten if her concept would require temperature monitoring at different locations. She said that it would for larger facilities.

Fran Schreiber said that Mercedes Roldan from UNITE HERE was present to talk about the situation in laundries where their members work. Mercedes Roldan said that workers in laundries are under extreme production pressures, and temperatures can be 115 to 120 °F. Bob Barish asked if these employers take special precautions for the heat. She responded that they generally just provide the usual morning and afternoon breaks and the lunch period.

A question was raised if section 3203 could be modified to include some specific requirements for heat illness prevention.

Mike Horowitz responded that the strength of the IIP Program requirement is its performance orientation and that if specific requirements are added for specific hazards that could reduce its effectiveness as a broad performance oriented requirement. Fran Schreiber agreed that maintaining the basic performance requirement section 3203 with broad application is important.

Luisa Gratz summed up her view of the meeting with encouragement to those concerned with the possible burden of a new regulation that it would primarily affect those employers not aware of, or not concerned with, the problem which would be beneficial, that it should not be burdensome to those employers already paying attention to the problem.

END