

# Cal/OSHA Heat Illness Prevention Enforcement Q&A

## Amusement Rides Supplement

*Posted May 19, 2015*

- 1. Where it is not feasible to have shade as close as desirable to places where employees are working, can procedures be used to assure that employees will be brought to shade or shade brought to employees using vehicular transport coupled with an electronic communication system?**

The Heat Illness Prevention standard requires that access to shade be available at all times, and that shade be erected if no other shade is readily available when the temperature exceeds 80 degrees Fahrenheit or upon employee request. The standard further states that shade must be located “as close as practicable to the areas where employees are working.” Cal/OSHA’s Heat Illness Prevention Enforcement Q&A states that shade must be easy for employees to reach and its location must not deter or discourage access or use.

Employers must therefore evaluate their operations and plan for how employees can have access to shade in a timely manner. This should include identifying shaded or cooled areas that are available to employees at or near each work station.

Electronic communication and vehicle transportation to shade may be included in the employer’s plan to provide shade, so long as these procedures will reliably provide access to shade when temperatures exceed 80 degrees Fahrenheit or upon an employee’s request.

- 2. Is a park in compliance with heat training requirements if it can demonstrate that all newly-hired outdoor employees receive a complying training segment on heat stress during their orientation, without requiring that each employee sign, and employers retain, an acknowledgement of training?**

Yes. The employer is required to keep training records meeting the requirements in Section 3203(b)(2), which includes documentation of employee name or other identifier, training dates, type(s) of training, and training providers. A signed acknowledgement is not required, although it can be a useful tool to demonstrate the employee’s attendance.

- 3. Can an employee who is responsible for the safety of others but is feeling heat stress leave without warning before completing a work assignment, or leave without obtaining a replacement?**

An amusement ride owner/operator has safety responsibilities to both patrons on the rides and employees operating the rides. Procedures must be in place that do not put the employee in a position of having to sacrifice a needed break or any other safety protection in order to meet his or her safety responsibilities toward patrons. These procedures may reflect other procedures for emergency relief on rides.

If the employer instructs an employee that he or she cannot abandon their position operating a ride or performing other safety-related functions, then the employer must ensure that the means

of complying with this regulation, including water, shade, and access to first aid, are available at the work station

Employers may reduce the need for emergency relief by taking additional precautions such as providing scheduled relief, particularly for work assignments in hot areas. Employers should also regularly check on employees to determine whether they are drinking water regularly, and whether they are developing signs of heat illness or are in need of shade.

**4. Who will investigate heat-related complaints and possible heat-related illnesses and enforce the Heat Illness Prevention standard?**

Investigation of and enforcement decision-making with regard to employee occupational safety and health issues for rides, including heat illness prevention, is carried out by Cal/OSHA enforcement staff, not Amusement Ride and Tramway (ART) Unit staff. Anyone, including ART Unit inspectors, may contact the local Cal/OSHA enforcement district office if they observe a situation that is a safety or health hazard to employees. It is possible that an ART Unit inspector may accompany a Cal/OSHA enforcement inspector in situations where ride expertise is needed in order to understand the full circumstances of a potential violation or safety hazard to employees.