

Heat Illness Prevention

The current definition of the term “indoor,” as Cal/OSHA has already agreed to modify it, reads as follows:

~~“Indoor” refers to a space, including a space inside a vehicle or equipment cab, that is under a ceiling or overhead covering and is enclosed has walls along its entire perimeter by walls, doors, windows, dividers, or other physical barriers, except for spaces where (1) openings to the outdoors provide for air movement and cooling comparable to the cooling that would be provided in an area of shade in that same location meeting the requirements of section 3395, or (2) the employer can demonstrate that openings to the outdoors provide for enough air movement and cooling to maintain the temperature in the space at less than 5 degrees Fahrenheit above the outdoor temperature. A wall includes, but is not limited to, any door, window, retractable divider, garage door, or other physical barrier that is temporary or permanent, whether open or closed. A space inside a vehicle or equipment cab located outdoors is an “indoor” space only if the space is enclosed on all sides, regardless of whether the windows are open or closed, and the employee performs his or her primary job duties while in that space. All work areas places of employment that are not indoor are considered outdoor and covered by section 3395.~~

The third basis might read as follows (in effect substituting control measures for openings, where openings alone might not be sufficient, and using the same standards as the other 2 bases for the exception):

“or where (3) the use of air circulation equipment, exhaust fans, misting systems or other control measures or equipment is sufficient to provide for air movement and cooling to maintain the temperature in the space at a level that is either (i) comparable to the cooling that would be provided in an area of shade in that same location meeting the requirements of section 3395, or (ii) less than 5 degrees Fahrenheit above the outdoor temperature.”

Cab rule addition (to follow the next to last sentence in the current definition above):

“If an employee’s primary job duties include entering and exiting a vehicle with a frequency such that the employee is often outside the vehicle, or where safety requires that the vehicle’s windows remain open while in that space for most or all of the employee’s shift, then a space inside a vehicle or equipment cab located outdoors is not an “indoor space.”