

November 20, 2018

TO: rs@dir.ca.gov

FR: **Lara Dunbar, Sr. Director of Government Affairs
MillerCoors**

RE: **Heat Illness Prevention in Indoor Places of Employment
Comments on Discussion Draft Dated October 24, 2018**

MillerCoors recognizes that the men and women who work in our breweries are its most valuable asset and resources, and their safety and well-being are key to the ongoing success of the business. MillerCoors is committed to ensuring a safe and healthful work environment for its employees. MillerCoors have had procedures in place protecting employees from heat illness both indoors and outdoors. The comments below are developed based on our experience. MillerCoors appreciates the opportunity to participate and provide comments on DOSH's draft proposal for Heat Illness Prevention in Indoor Places of Employment dated October 24, 2018.

(a) Scope and Application. On page 1 of 11 of DOSH Heat Illness Prevention Draft Text - draft revisions 10/24/18 compared to 5/16/18.

MillerCoors Comments: MillerCoors supports DOSH's previous draft on May 16, 2018 that identifies 85° Fahrenheit (F) as the temperature trigger for Indoor Heat Illness. At 82° F, the regulation doesn't allow reasonable temperature differential from recommended indoor temperature, such as the American Society, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 55-2013 which states that for thermal comfort, temperature indoors can range between 67°F and 82°F. The Centers for Disease Control and Prevention (CDC)/National Institute for Occupational Safety and Health (NIOSH) recommends temperature range from 75°F to 80.5°F for indoors. Furthermore, the U.S. Department of Energy (DOE) advocates for maintaining a temperature of 78°F during the summer. The initial temperature trigger of 85°F is more appropriate as a threshold allowing for at least 3 degree differential.

MillerCoors Recommendation: Change proposed draft language (a) Scope and Application (1) to read as below. Red, Bold, underlined, italicized and strikethrough language highlights MillerCoors proposed changes.

(1) This standard applies to all indoor work areas where the temperature equals or exceeds ~~82~~ **85** degrees Fahrenheit.

(e) Assessment and Control Measures. Language in (e)(1)(A) On page 6 and 7 of 11 of DOSH Heat Illness Prevention Draft Text - draft revisions 10/24/18 compared to 5/16/18.

MillerCoors Comments: MillerCoors is concerned with the added language in (e)(1)(A) where recorded temperatures are “retained and made available in accordance with section 3204” which is excessive and unnecessary. Section 3204, Access to Employee Medical and Exposure Records, is intended to address chronic health effects whereas exposure to heat has acute health effects. Furthermore, retaining copious temperature measurements is a burden to MillerCoors (e.g. developing a system) with no real benefit to employee health and safety in the long run.

MillerCoors Recommendation: Change proposed draft language (e)(1)(A) to read as below. Red, Bold, underlined, italicized and strikethrough language highlights MillerCoors proposed changes.

(e)(1)(A) The employer shall establish and maintain accurate records of temperature or heat index measurements, as applicable. The records shall include the date, time, and specific location of all measurements.

~~**NOTE: The records shall be retained and made available in accordance with section 3204.**~~

MillerCoors appreciates the opportunity for engagement on the regulations. Should you have any questions, please do not hesitate to contact us anytime.

Sincerely,



Lara Diaz Dunbar
Sr. Director of Government Affairs
MillerCoors