



Arizona Division of Occupational Safety and Health Heat Stress State Emphasis Program

What does this Emphasis Program mean for businesses?

This State Emphasis Program (SEP) can be broken down into four parts: i) changes to current inspections, ii) new programmed inspections, iii) new data collection, and iv) new outreach programs, all to protect Arizona workers from heat-related hazards and resulting injuries and illnesses.

i) Changes to current inspections: This Emphasis Program directs all ADOSH compliance health and safety officers (CHSOs) to open or refer a heat-related inspection for any hazardous heat conditions observed. It also allows ADOSH Consultative services to prioritize requests to help small to mid-sized businesses looking for heat stress plan development and training.

ii) New programmed inspections: On days when the National Weather Service has announced a heat warning or advisory for the local area, programmed inspections shall occur in industries with historically high numbers or high incident rates of heat-related illnesses according to the Bureau of Labor Statistics. For a full list of industries, see Appendix A of the Heat SEP.

iii) New data: This Emphasis Program will also direct ADOSH compliance safety and health officers to create a new, specific heat code for all activities (inspections, complaints, and referrals, etc.) and consultation requests/visits conducted under this Emphasis Program. This will help ADOSH identify and consider future steps and policies ADOSH may pursue that will further help protect workers from heat-related hazards and injuries.

iv) New outreach activities: The Emphasis Program is based upon and will include further outreach, including compliance tools and resources, free ADOSH On-Site Consultation, flyers, webinars, presentations to conferences, unions, employers, employee groups, and others in heat hazard industries.

What will outreach look like?

ADOSH will conduct outreach programs concerning heat illnesses, including new guidance and the SEP.

Outreach activities may include the following:

- a) Sharing information on the Heat SEP and available compliance assistance tools and resources, including free ADOSH On-Site Consultation services. This information may be distributed in written form (e.g., via letter or email), or conveyed in webinars or presentations at conferences and other events to employers, employee groups, and unions in heat hazard industries such as, but not limited to those in Appendix A.
- b) Collaborating with agency stakeholders, including ADOSH cooperative program participants, to share information on the SEP and best practices or effective means of reducing or eliminating worker exposure to heat related hazards.

What are current requirements for employers to address heat risk? Does this create new rules for businesses?

There are currently no specific OSHA standards for heat hazards; heat risk falls under the “General Duty Clause.”

According to the US Department of Labor:

*Under the General Duty Clause, Section 5(a)(1) of the Occupational Safety and Health Act of 1970, employers are required to provide their employees with a place of employment that "is free from recognized hazards that are causing or likely to cause death or serious harm to employees." The courts have interpreted OSHA's general duty clause to mean that an employer has a legal obligation to provide a workplace free of conditions or activities that either the employer or industry recognizes as hazardous and that cause, or are likely to cause, death or serious physical harm to employees when there is a feasible method to abate the hazard. **This includes heat-related hazards that are likely to cause death or serious bodily harm.***

The National Institute for Occupational Safety and Health (NIOSH) has published criteria for a recommended standard for occupational heat stress. The NIOSH document includes recommendations for employers about how to prevent heat-related illnesses.

The OSHA Technical Manual (OTM), Section III: Chapter 4 provides information on how to assess heat risk and helped inform this State Emphasis Program.

This State Emphasis Program is designed to direct resources and attention to heat risk (e.g., insufficient controls in place such as access to water, rest, and/or shade), protect workers from heat risk, given parameters in the General Duty Clause, and collect data and conduct outreach activities to help inform potential future heat standards, adopted by the State of Arizona and/or OSHA.

When does this Program take effect?

This program takes effect immediately.

How was this program developed?

Governor Hobbs' administration is committed to worker safety and health, ensuring all Arizonans return home safely from their place of employment. As part of this commitment, Governor Hobbs directed ADOSH to create an Emphasis Program that will guard against current heat risks, proactively identify heat hazards, and collect data and stakeholder input to inform future potential heat standards.

The parameters of this Emphasis Program are based on ADOSH's ongoing stakeholder engagement, especially in heat hazard industries, current industry and professional standards, and will be honed over time as the Program continues outreach and analysis.

What is the goal of the Program?

The goal of this Emphasis Program is to reduce worker exposures to heat-related hazards that result in illnesses, injuries, and deaths, by inspecting industries and worksites, including worksites with radiant heat sources, where employees are exposed to heat-related hazards and have not been provided adequate protection that includes cool water, rest, cool areas, training, and acclimatization. These mitigation strategies are key to controlling the health hazards associated with heat exposures. ADOSH's goal will be accomplished by a combination of compliance, outreach to employers, and compliance assistance.

Where do I go with questions?

For questions or guidance regarding this Emphasis Program please reach out to the Arizona Division of Occupational Safety and Health.

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