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Clipboard Font Alignment Number Styles

A10 Scope and Application

August 6, 2021

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY (DOLI): VIRGINIA OCCUPATIONAL SAFETY AND HEALTH (VOSH) PROGRAM

HEAT ILLNESS PREVENTION STANDARD REGULATORY ADVISORY PANEL

COMPARISON CHART OF OREGON, WASHINGTON, MINNESOTA AND CALIFORNIA STATE STANDARDS

	Oregon 437-002-0955 Heat Illness Prevention (All employers but Agriculture) 437-004-1038 applies to Agriculture - nearly identical	Washington Outdoor heat exposure, WAC 296-62-095, et seq <u>Emergency Standard Amendment Language is Underlined</u>	Minnesota Administrative Rules 5205.0100 INDOOR VENTILATION AND TEMPERATURE IN PLACES OF EMPLOYMENT 5206.0500 HARMFUL PHYSICAL AGENTS 5206.0700 TRAINING	California Heat Illness Prevention in Outdoor Places of Employment, 3395	California Heat Illness Prevention in Indoor Places of Employment, § _____ (DRAFT: April 19, 2019 - preparing for Proposed Rule Stage)
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9	<p>Scope and Application</p> <p>437-002-0955</p> <p>(1) Scope and Application</p> <p>This standard applies whenever an employee performs work activities and the heat index (apparent temperature) equals or exceeds 80 degrees Fahrenheit. It does not apply to incidental exposure that exists when an employee is not required to perform covered work activity for more than 15 minutes in any sixty-minute period, nor does it apply to the transportation of employees inside vehicles when they are not otherwise performing work. When any other applicable standard addresses other hazards that may be present, employers must comply with the provisions of that standard and this standard. Where the requirements of one standard are more restrictive than the other, employers must follow the more stringent requirements. Employers subject to other activity-specific standards, such as OAR 437-007-0300 et seq (Wildland Fire Suppression and Prescribed Fire), must comply with the standards to the degree feasible without interfering with the ability of employers and employees to complete the necessary work.</p>	<p>So 296-62-0950 Scope and purpose</p> <p>(1) WAC 296-62-095 through 296-62-09560 apply to outdoor work environments from May 1 through September 30, annually, only when employees are exposed to outdoor heat at or above an applicable temperature listed in Table 1</p> <p>(2) The requirements of WAC 296-62-095 through 296-62-09560 apply to outdoor work environments from May 1 through September 30, annually, only when employees are exposed to outdoor heat at or above an applicable temperature listed in Table 1</p> <p>Table 1 To determine which temperature applies to each worksite, select the temperature associated with the general type of clothing or personal protective equipment (PPE) each employee is required to wear.</p> <p>Outdoor Temperature Action Levels</p> <p>All other clothing 85° Double-layer woven clothes including coveralls, jackets and sweatshirts 77° Narbresing clothes including vapor barrier clothing or PPE such as chemical resistant suits 52°</p> <p>Note: There is no requirement to maintain temperature records. The temperatures in Table 1 were developed.</p>	<p>So 5205.0100</p> <p>Subp. 2. Heat conditions. The requirements of this subpart cover employee exposure to indoor environmental heat conditions.</p> <p>5206.0500 HARMFUL PHYSICAL AGENTS (Indoor and Outdoor)</p> <p>[3]Subpart 1. In general, the commissioner has determined that the list of harmful physical agents in subpart 3 shall be covered by the provisions of this chapter. F3The harmful physical agents list includes the majority of physical agents that may be encountered in Minnesota. Where there is a reasonably foreseeable potential for exposure to one or more of these physical agents at a level which may be expected to approximate or exceed the permissible exposure limit or the applicable action level the employer must provide training to employees as required in part 5206.0700.</p> <p>Subp. 2. Updating list. The list of harmful physical agents shall be updated by the commissioner at least every two years.</p> <p>Subp. 3. Harmful physical agents list.</p> <p>A. Heat</p>	<p>So 3395</p> <p>(a) Title, Scope, and Application</p> <p>(1) This section shall be known and may be cited as the Maria Isabel Vasquez Jimenez heat illness standard, and shall apply to all outdoor places of employment. EXCEPTION: If an industry is not listed in subsection (a)(2), employers in that industry are not required to comply with subsection (e), High-heat procedures.</p> <p>(2) List of industries subject to all provisions of this standard, including subsection (e)</p> <p>(A) Agriculture (B) Construction (C) Landscaping (D) Oil and gas extraction (E) Transportation or delivery of agricultural products, construction materials or other heavy materials (e.g. furniture, lumber, freight, cargo, cabinets, industrial or commercial materials), except for employment that consists of operating an air-conditioned vehicle and does not include loading or</p>	<p>So DRAFT: April 19, 2019</p> <p>(a) Scope and Application</p> <p>(1) This standard applies to all indoor work areas where the temperature equals or exceeds 82 degrees Fahrenheit when employees are present. EXCEPTION: For indoor work areas not subject to any of the conditions listed in subsection (a)(2) below, the employer is not required to comply with subsection (e), Assessment and Control Measures</p> <p>(2) Conditions under which an indoor work area is subject to subsection (e)</p> <p>(A) The temperature equals or exceeds 87 degrees Fahrenheit when employees are present; or (B) The heat index equals or exceeds 87 degrees Fahrenheit when employees are present; or (C) Employees wear clothing that restricts heat removal and the temperature equals or exceeds 82 degrees Fahrenheit; or (D) Employees work in a high radiant heat work area and the temperature equals or exceeds 82 degrees Fahrenheit.</p> <p>(3) This standard applies in any other setting</p>
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11	<p>Definitions</p> <p>437-002-0955</p> <p>(2) Definitions.</p> <p>(a) Acclimatization - temporary adaptation of the body to work in the heat that occurs gradually when a person is exposed to it.</p> <p>(b) Drinking water - Potable water that is suitable to drink and that is cool (50°F - 77°F) or cold (35°F - 65°F). Drinking water packaged as a consumer product and electrolyte-replenishing beverages that do not contain caffeine (for example, sports drinks) are acceptable substitutes, but should not completely replace the required water.</p> <p>(c) Feasibility - refers to the ability of an employer to implement any requirement in a rule. Oregon OSHA rules never prohibit work. Whether feasibility is mentioned in a provision of the rule or not, if the employer can demonstrate that it is functionally impossible to comply or if doing so would prevent completion of the work, the employer need not comply, but must take</p>	<p>De 296-62-09520</p> <p>Definitions.</p> <p>Acclimatization. The body's temporary adaptation to work in heat that occurs as a person is exposed to it over time.</p> <p>Double-layer woven clothing. Clothing worn in two layers allowing air to reach the skin. For example, coveralls worn on top of regular work clothes.</p> <p>Drinking water. Potable water that is suitable to drink and <u>suitably cool in temperatures</u>. Drinking water packaged as a consumer product and electrolyte-replenishing beverages (i.e., sports drinks) that do not contain caffeine are acceptable.</p> <p>Engineering controls. The use of devices to reduce exposure and aid cooling (i.e., air conditioning).</p> <p>Environmental factors for heat-related illness. Working conditions that increase susceptibility for heat-related illness such as air temperature, relative humidity, radiant heat from the sun and other sources, conductive heat sources such as the ground, air movement, workload (i.e., heavy, medium, or low) and duration, and personal protective equipment worn by employees. Measurement</p>	<p>Def 5205.0110 (Indoor)</p> <p>Subp. 2</p> <p>A. The following definitions apply when assessing and controlling health hazards associated with indoor climate.</p> <p>(1) "Wet bulb globe temperature index" or "WBGT" means a measure of the combined effect of air temperature, air speed, humidity, and radiation. WBGT = 0.7 Twdb + 0.3 Tg</p> <p>(2) "Natural wet-bulb temperature" or "Twdb" means temperature measured by a thermometer which has its sensor covered by a wetted cotton wick, exposed to natural air movement.</p> <p>(3) "Globe temperature" or "Tg" means temperature measured by a thermometer with its sensor inside a matte black globe, exposed to radiant heat, Vernon Globe or equivalent.</p> <p>(4) "Heavy work" means 350 or higher kcal/hr (kilocalories per hour), for example: heavy lifting and pushing, shovel work.</p> <p>(5) "Moderate work" means 200 to 350 kcal/hr, for example: walking with moderate lifting and pushing.</p> <p>(6) "Light work" means up to 200 kcal/hr, for example: sitting or standing performing light hand or arm work.</p>	<p>Def 3395</p> <p>(b) Definitions</p> <p>"Acclimatization" means temporary adaptation of the body to work in the heat that occurs gradually when a person is exposed to it. Acclimatization peaks in most people within four to fourteen days of regular work for at least two hours per day in the heat.</p> <p>"Heat illness" means a serious medical condition resulting from the body's inability to cope with a particular heat load, and includes heat cramps, heat exhaustion, heat syncope and heat stroke.</p> <p>"Environmental risk factors for heat illness" means working conditions that create the possibility that heat illness could occur, including air temperature, relative humidity, radiant heat from the sun and other sources, conductive heat sources such as the ground, air movement, workload severity and duration, protective clothing and personal protective equipment worn by</p>	<p>De DRAFT: April 19, 2019</p> <p>(b) Definitions.</p> <p>"Acclimatization" means temporary adaptation of the body to work in the heat that occurs gradually when a person is exposed to it. Acclimatization peaks in most people within four to fourteen days of regular work for at least two hours per day in the heat.</p> <p>"Administrative controls" means a procedure that limits exposure to a hazard by adjustment of work procedures or work schedules. Examples of administrative controls that may be effective at minimizing the risk of heat illness in a particular work area include, but are not limited to, acclimating employees, rotating employees, scheduling work earlier or later in the day, using work-rest schedules, reducing work intensity or speed, changing required work clothing, and using relief workers.</p> <p>"Clothing that restricts heat removal" means full-body clothing covering the arms, legs, and torso that is any of the following:</p> <p>(1) Waterproof, or</p>