**DATE:**  March 4**,** 2022

**TO:** PRR, OSH Forum

**FROM:** Helen Cleary

**RE:** NACOSH Heat Illness and Injury Prevention Work Group Meeting Highlights

On February 25, 2022, the National Advisory Committee on Occupational Safety and Health (NACOSH) held its first Heat Injury and Illness Prevention Work Group Meeting. Following are highlights from the Work Group discussion and presentations.

**Background**

The U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), published the NACOSH Notice of Meeting in the [Federal Register](https://www.federalregister.gov/documents/2022/02/04/2022-02379/occupational-safety-and-health-administration-national-advisory-committee-on-occupational-safety-and) on February 4, 2022. The notice includes the purpose of the Work Group:

*“The Work Group was established to help NACOSH respond to OSHA's request to provide recommendations on the agency's heat injury and illness prevention guidance and rulemaking activities. The Work Group will evaluate OSHA's heat illness and prevention guidance materials, develop recommendations for guidance materials, evaluate stakeholder input, and develop recommendations on potential elements of a proposed heat injury and illness prevention standard. It will then present its written findings and proposed recommendations to the full NACOSH committee for consideration. After deliberations, NACOSH will submit its recommendations to the Secretary of Labor.”*

The Work Group [home page](https://www.osha.gov/heat-exposure/heat-injury-and-illness-prevention-work-group) includes the charge of the work group, links to supporting websites and the official Docket No. [OSHA-2022-003](https://www.regulations.gov/docket/OSHA-2022-0003) which will contain the presentations and resources discussed during the public meetings. Additional data and resource documents can be found via the Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings Docket: [OSHA-2021-0009](https://www.regulations.gov/docket/OSHA-2021-0009).

The [agenda](https://www.regulations.gov/document/OSHA-2022-0003-0002) for the NACOSH Heat Work Group Meeting can be downloaded via the docket.

**Highlights of the Meeting**

1. **Welcome from the Chairs** - *Kathleen Dobson and Rebecca Reindel*
2. **Welcome from OSHA** - *Assistant Secretary of Labor, OSHA, Doug Parker*

Doug Parker gave an overview of the Agency’s focus and strategy to prevent heat illness and injury in the workplace. His talking points included:

* Charge from the Biden Administration to address heat illness in the workplace
* Expected temperature increases in the future
* Disproportionate impact on people of color
* Impact of heat on worker health
* Underreporting and underrepresentation of illnesses and injuries from heat
* OSHA’s strategy:
	+ National Emphasis Program (NEP) – expected to launch this spring and will focus on high-risk industries
	+ [ANPRM](https://www.federalregister.gov/documents/2021/10/27/2021-23250/heat-injury-and-illness-prevention-in-outdoor-and-indoor-work-settings): Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings was published in October 2021 (Docket: [OSHA-2021-0009](https://www.regulations.gov/docket/OSHA-2021-0009)). The public comment period closed January 27, 2022, and over 1000 comments were received. The Agency is reviewing the comments and determining next steps.
	+ National communication campaign
1. **Introductions**
	1. Work Group Members:

***NACOSH Representatives****:* Rebecca Reindel (AFL-CIO); Cindy Lewis (Fay W. Boozman College of Public Health, University of Arkansas for Medical Sciences), Kathleen Dobson (Alberici Constructors, Inc.),

***Management Interests****:* Robert Matuga (National Association of Home Builders); Kirk Sander (National Waste and Recycling Association); Chris Long (National Association of Manufacturers); Dominique Damian (Washington Farm Bureau); Lieutenant Colonel, LTC, David DeGroot (United States Army).

***Labor Interests:*** LaMont Byrd (International Brotherhood of Teamsters); Nicole Hernandez-Hammer (Service Employees International Union); Gavin West (The Center for Construction Research and Training (CPWR); Mirella Deniz-Zaragoza (Warehouse Workers Resource Center); Nezahualcoyoti Xiuhtecutli (Farmworker Association of Florida);

***State Plan Representative:*** Jay Withrow (Virginia Department of Labor and Industry),

***Technical Public Health Expert***: Dr. June Spector (University of Washington),

* 1. OSHA Staff: Andy Levinson, Acting Directorate of Standards (Designated Federal Official); Lisa Long, Director, Office of Engineering Safety (Alternate Designated Federal Office Official). Additional OSHA officials/staff participating with the Committee: Doug Parker, Assistant Secretary; Jim Frederick, Deputy Assistant Secretary; Steve Schayer, Director, Office of Physical Hazards; Ashley Bieniek-Tobasco, Health Scientist; Inanje Mintz, Public Health Educator; Pamela Barclay, Health Scientist; Jennifer Levin, Committee Counsel. Additional supporting staff and specialists include heat specialist, economists, enforcement, and technical support.
1. **Overview of Ethics and Federal Advisory Committee Act** – *Jennifer Levin, Committee Counsel*
2. **Overview of the Charge to the Work Group** – *Steve Schayer, Director, Office of Physical Hazards and Ashley Bienieck-Tobasco, Health Scientist with OSHA Directorate of Standards and Guidance* (The full presentation can be downloaded via the [docket](https://www.regulations.gov/document/OSHA-2022-0003-0003).)

**Charge to the Work Group:** The work group objectives are defined as Task 1 and Task 2.

Task 1: To evaluate and provide input and recommendations on OSHA’s heat illness prevention materials.

Task 2: To critically evaluate stakeholder input to the ANPRM and develop key recommendations on potential elements of heat injury and illness prevention rulemaking that OSHA should consider.

**Task 1:** Recommendations on OSHA’s Heat Illness Prevention Materials

The work group is being asked to review existing materials and consider:

* Communication strategies and products that are useful for employers and workers that are not currently being employed by OSHA
* Are critical heat topics missing from materials?
* Are materials accessible to the populations most at risk of hazardous heat exposure in outdoor and indoor work settings?
* Are existing guidance materials (including training and technical guidance) up to date and align with current best practices?
* Are there specific industries or audiences (e.g., employers, supervisors, employees) that would benefit from more tailored guidance materials?

To accomplish Task 1, the Work Group will deliberate and finalize recommendations on proposed actions in a written report. The report should include key audiences and industries for OSHA’s communication strategies, guidance and products; the critical topics for OSHA guidance; and the products OSHA should develop. The Work Group should also consider outlining and/or drafting materials and products.

**Task 2:** Recommendations on Potential Elements of Heat Injury and Illness Prevention Rulemaking

Task 2 requires the Work Group to review a compilation of stakeholder comments received during the ANPRM and rely on personal experience and knowledge to answer the following questions:

* For what industries, occupations, job tasks, and geographic regions is hazardous heat a concern for worker health?
* What are current and best practices and challenges to occupational heat injury and illness prevention?
* What are current and best practices in defining hazardous heat in indoor and outdoor workplaces?
* What are current and best practices, technological advancements and implementation challenges with exposure and physiological monitoring in the context of occupational heat hazards?
* What are current and best practices for designing and implementing a heat injury and illness prevention program or plan?
* What are best practices in acclimatization in both indoor and outdoor work settings across various industries?
* What challenges do employers face when identifying and responding to a heat illness emergency?
* What elements of training programs are most effective at reducing heat injury and illness among indoor and outdoor workers?
* What elements of existing state heat illness prevention standards or programs would or would not apply to federal guidance or regulatory efforts?

To accomplish Task 2, the Work Group will deliberate, finalize recommendations on proposed elements in a written report. The report should include recommendations on the determinants of occupational heat exposure; strategies to reduce heat illness/injury; applicability of existing state and industry standards.

Task 2 does not include development of regulatory text.

Work Group Progress: Updates on progress of both tasks will be provided at full NACOSH meetings and written findings and recommendations will be considered by the full NACOSH committee. Background information, reasons and justification should also be provided.

NACOSH Authority: The full NACOSH committee has the authority to adopt all or some of the proposed findings and recommendations developed by the Work Group, with or without modification, and to present them to OSHA. The full committee may also decline to make any recommendation to OSHA.

1. **Task #1 Review – OSHA’s Heat Illness Prevention Materials** – *Pamela Barclay, Health Scientist and Inanje Mintz, Public Health Educator*

An overview of OSHA’s Heat Illness Campaign, updates and strategies for improvement was shared.

* OSHA’s campaign was modeled after California’s Division of Occupational Safety and Health’s (Cal/OSHA’s) communication campaign that was released in 2010/2011; it needed a refresh.
* In 2021 OSHA initiated discussions around improving the campaign and gathered feedback with internal and external stakeholders.

Outreach topics included: acclimatization, practical solutions, employer responsibility and worker rights, external factors (e.g., medications, drugs, alcohol), signs/symptoms, first aid, climate change, diversity of workers and industries.

Findings identified included:

* + Materials in multiple languages are needed
	+ The industries and small businesses needing outreach – indoor (e.g., warehousing, manufacturing, food processing); outdoor (e.g., construction, postal and delivery workers, utilities, oil and gas)
	+ Opportunities to improve the program: coordination, engagement tactics (social media toolkits, videos etc.), and partnership with consulates across the country to reach the target audience (e.g., Guatemala, Mexico)
* Updates were made to existing materials (e.g., posters, quick cards, English/Spanish designs, pocket size pamphlets)
* Infographics and social media campaigns were developed
* Heat Public Service Announcements (PSA’s) were created - 60 second audio and video
* Materials were developed for OSHA Field Staff - PowerPoint Presentations and Talking Points
* Evaluations were conducted - anecdotal feedback is positive and data on website downloads and traffic is high. The software program Talkwalker determined that twitter is utilized most
* Additional requests coming from the field include: Press/media toolkits; hard hat stickers, urine charts, video content, fact sheets
* Plans for 2022 Heat Season – Heat awareness video, improvements to website, targeted materials for employer responsibility and acclimatization, Facebook Live (target audience uses Facebook over Twitter), e-newsletter, co-programming with the Safe + Sound Campaign, evaluation of data to inform improvements
1. **Instructions for the Work Group** – Chairs will be in touch with the workgroup within the next three weeks. The goal is to have at least five meetings prior to the full NACOSH meeting in May to provide an update.

Smaller sub-groups will be determined. Sub-groups will work together, compile information and resources, and perform the prep-work (evidence gathering, peer review research, identify gaps, examine common elements in materials). The objective is for the smaller groups to inform the larger group at public meetings.

The OSHA presentations focused on Task 1 (the heat campaign and strategies) and Task 2 is to inform the potential rulemaking. There is an overlap of the tasks – what goes out in a campaign should also be included in the rulemaking so that OSHA can enforce the information and guidelines being communicated. There should not be a hard stop between Task 1 and Task 2 because the development of materials should inform the rulemaking.

 Next Meeting

The next Work Group meeting will focus on Task 2. There are over 1000 public comments that need to be reviewed.