



Department of Consumer
and Business Services

Oregon OSHA Heat Illness Prevention Rule Questions and Answers

The responses in this document represent Oregon OSHA's current position on issues involving the Heat Illness Prevention Rule. This is a working document that will be updated to reflect additional questions and clarifications, as necessary.

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Revised:

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Table of Contents

Scope & Application Of The Heat Illness Prevention Rule [437-002-0155, & 437-004-1130]	3
When does this rule take effect? How long will it remain in effect?	3
To whom does this rule apply?	3
Section 1 General Questions About The Heat Illness Prevention Rules	3
With the new temporary heat stress rule, what has changed from what an employer was required to do before?	3
What are the rules for when the heat index is 80 degrees or more?.....	3
What are the rules when heat index exceeds 90 degrees?	3
Is it acceptable to provide non-caffeinated sports drinks instead of water?	4
What is the heat index?	4
What is heat illness?	4
How does OSHA define shade?	4
Does my employer need to give me all of the water I need for the day all at once?	4
How much water does my employer need to give me per hour?	4
When employee's are inside, when does the rule apply?	4
How do you calculate the heat index inside?	4
What are some good resources to learn more about acclimatization?	5
Do you have a sample emergency medical plan?	5
Are employee's required to take breaks?	5

Scope & Application Of The Heat Illness Prevention Rule [437-002-0155, & 437-004-1130]

When does this rule take effect? How long will it remain in effect?

Unless otherwise noted, the provisions of this rule took effect July 8, 2021.

Since it is a temporary rule, state statute only allows for it to remain in effect for 180 days. We anticipate proposing a permanent rule in the fall that will go through the normal public proposal process.

To whom does this rule apply?

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 short exposures when an employee is exposed to the heat for 15 minutes or less in any sixty-minute period, nor does it apply to the transportation of employees inside vehicles when they are not otherwise performing work.

You must still follow all other applicable rules. Where the requirements of one standard are more restrictive than the other, follow the more stringent requirements.

Section 1 General Questions About The Heat Illness Prevention Rules

With the new temporary heat stress rule, what has changed from what an employer was required to do before?

The new rule is more specific about what is required when the heat index is equal to or greater than 80 degrees, and there are additional rules for when it rises above 90 degrees.

What are the rules for when the heat index is 80 degrees or more?

When the heat index reaches 80 degrees, employers need to provide:

- access to sufficient shade,
- access to 32 ounces of water per hour for each employee at all times,
- effective communication in the event of an emergency,
- training about workplace risk factors and controls, employee rights, and personal risk factors to all employees by August 1.

What are the rules when heat index exceeds 90 degrees?

When the heat index exceeds 90 degrees, all of the rules for 80 degrees apply, plus:

- effective communication with a supervisor is required via voice, observation or electronic means, observation and monitoring of employees for signs and symptoms of heat-related illness is required
- ensure that employees are observed for alertness and signs and symptoms of heat illness and monitored to determine whether medical attention is necessary
- a cool down or rest period of at least 10 minutes is required for every two hours of work,
- develop and implement emergency medical and acclimatization plans

Is it acceptable to provide non-caffeinated sports drinks instead of water?

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.

What is the heat index?

The heat index, also known as the apparent temperature, is what the temperature feels like to the human body when relative humidity is combined with the air temperature. The heat index is calculated using equations published by the National Oceanic and Atmospheric Administration's National Weather Service. It can be readily determined using the OSHA-NIOSH Heat Safety Tool App (<https://www.cdc.gov/niosh/topics/heatstress/heatapp.html>) or the online calculator available from the National Weather Service (<https://www.wpc.ncep.noaa.gov/html/heatindex.shtml>).

What is heat illness?

Heat illnesses are medical conditions resulting from the body's inability to cope with a particular heat load, and includes heat cramps, heat exhaustion, heat syncope and heat stroke.

How does OSHA define shade?

Shade is blockage of direct sunlight. One indicator that blockage is sufficient is when objects do not cast a shadow in the area of blocked sunlight. Shade is not adequate when heat in the area of shade defeats the purpose of shade, which is to allow the body to cool. For example, a car sitting in the sun does not provide acceptable shade to a person inside it, unless the car is running with working air conditioning.

Does my employer need to give me all of the water I need for the day all at once?

Employers are not required to supply the entire quantity of drinking water needed to be supplied for all employees on a full shift at the beginning of the shift. Employers may begin the shift with smaller quantities of drinking water if effective procedures are established to replenish the water consumed during the shift.

How much water does my employer need to give me per hour?

When the heat index in the work area equals or exceeds 80 degrees Fahrenheit, employers must supply each employee enough water to enable them to consume 32 ounces per hour.

When employee's are inside, when does the rule apply?

When the outside ambient air temperature increases the indoor temperature, which exceeds 80 degree F, this rule would apply. An exception to this rule, when:

Exposure to heat that is generated only from the work process – such as what occurs in foundries – is not subject to this standard. In such cases, employers must follow the requirements of OAR 437-002-0144(2).

How do you calculate the heat index inside?

One may measure the indoor temperature and relative humidity, then input into the NIOSH Heat Index app.

Additionally, you can measure the indoor temperature and relative humidity, then use the NOAA Heat Index chart to determine the heat index temperature.

Lastly, one may use a device to directly measure both the temperature and relative

humidity inside a building and then use the heat index chart to determine the heat index temperature or enter the temperature and relative humidity directly into the NIOSH heat index app to determine the heat index temperature.

What are some good resources to learn more about acclimatization?

The following links will provide a series of resources;

[CDC NIOSH Heat Stress Acclimatization Plan](#)

[OSHA Acclimatizing Workers](#)

[OR-OSHA's LEP – Preventing Heat Illnesses](#)

Do you have a sample emergency medical plan?

It is important to note, the emergency medical plan was required prior to the temporary rule on heat illness. Sample plans are available online but they need to be tailored to the business operations and locations that employees are working.

The links provided, can be used as resources for the:

[Federal OSHA - How to plan for workplace emergencies and evacuations](#)

[Oregon OSHA - Expecting the Unexpected](#)

Are employee's required to take breaks?

Yes! It is important to ensure employee's get the proper cool down break to allow for their bodies to rest and recuperate before continuing to work in high heat situations.