

California's Indoor Heat Illness Prevention Standard: Cal/OSHA Standards Board Publishes New Modifications

November 10, 2023

By Karen F. Tynan, Robert C. Rodriguez, and Theodore G. Lee

The draft indoor heat illness prevention standard continues to work its way through the Occupational Safety and Health Standards Board's rulemaking process. On November 9, 2023, the Board published proposed modifications to the draft indoor heat illness standard, which were based on suggestions the Standards Board received during the August 2023, 15-day comment period.



CALIFORNIA REPUBLIC

- On November 9, 2023, the Occupational Safety and Health Standards Board—which is Cal/OSHA’s standards-setting agency—published proposed modifications to the draft indoor heat illness standard.
- These modifications were based on suggestions the Standards Board received during its recent 15-day comment period.
- The draft standard now enters its second 15-day comment period for the new modification, which will end on November 28, 2023.

Some of the proposed modifications include:

- Adding an exception for compliance with the standard for certain circumstances when an employee is only exposed to indoor “incidental heat exposure...above 82 degrees Fahrenheit for less than 15 minutes in any 60-minute period...”;
- Deleting a previously proposed exception that would have made certain indoor spaces subject to the outdoor heat illness standard;
- Deleting a previously proposed provision that would have permitted employers with employees that go back and forth between working outdoors and indoors to have to comply with only the indoor standard; and
- Altering the definition of “high radiant heat area” and “high radiant heat source.”

The draft standard now enters its second 15-day comment period for the new modification, which will end on November 28, 2023. At a previous Standards Board meeting in May 2023, a Cal/OSHA representative indicated that the Standards Board will likely vote on the proposed regulation in the first quarter of 2024 to implement the new regulation by the summer of 2024.

Ogletree Deakins will continue to monitor developments with respect to heat illness prevention in indoor places and will provide updates on the firm’s [California](#) and [Workplace Safety and Health](#) blogs as additional information becomes available.

Follow and Subscribe

[LinkedIn](#) | [Instagram](#) | [Webinars](#) | [Podcasts](#)

AUTHORS



Karen F. Tynan

Shareholder, [Sacramento](#)



Robert C. Rodriguez

Associate, Sacramento



Theodore G. Lee

Associate, Sacramento