

Virginia Heat Illness Prevention Standard

Regulatory Advisory Panel · Meeting 1

October 15, 2026

Virginia Department of Labor and Industry

Agenda

- Welcome and introductions
- Meeting procedures
- Safety and Health Codes Board and Virginia's regulatory process
- Purpose, legal basis, and advisory role of the RAP
- Discussion of scope, application, and statutory exemptions
- Health impact of heat
- Federal guidance, consensus standards, and state models
- Virginia heat illness data
- Public comment
- Next steps and adjournment

Secretary of Labor

The Honorable Jessica K. Looman

Commissioner of Labor and Industry

James “Jim” Frederick

Facilitator

Bob Kitchen, MD, FAAFP

RAP Member Introductions

RAP members, please share your

- Name
- Organization
- Role
- What experience, research, or perspective do you bring that will particularly benefit this panel?

Sejal Singh	Chief of Staff for the Secretary of Labor
Ronald Graham	Health Compliance Director
Zahra Qarni	Director, Policy and Planning, Research and Analysis, Boiler and Pressure Vessel Safety
Cristin Bernhardt	Regulatory Coordinator
Lyndsey Banks	Health Regional Director
Shawnai Smith	Policy Analyst
Eva Ernst	Research and Analysis Manager

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Virtual meeting procedures

- **Stay connected:** Keep your camera on when possible and mute your microphone if there is a lot of background noise.
- **Participate actively:** Speak up, ask questions, and share your observations, experience, and research.
- **Connect provisions to practice:** Explain how potential requirements would work in your industry or workplace, including benefits, challenges, and suggested alternatives.

- **Public comment:** Public attendees who are not RAP members will remain muted during RAP discussions, with an opportunity to speak during the designated public comment period.

Discussion Guidelines

- Separate statutory requirements from regulatory options
- Explain the workplace problem and offer specific language or an alternative
- State where you agree before identifying an unresolved issue

Three-meeting program

Meeting	Primary focus	Intended output
October 15 (today)	Mandate, scope and evidence	Coverage questions and evidence requests
October 29 9:30 a.m.–1:00 p.m.	Thresholds Statutory prevention controls Small group discussion	Options and feasibility concerns
November 12 9:30 a.m.–1:00 p.m.	Small group discussion Implementation	Recommendations

Meeting 1 Outcomes

- Shared understanding of the statutory mandate and regulatory process
- Working agreement on participation and documentation
- Initial advice on coverage and exemptions
- Supporting documents and evidence needs for Meetings 2 and 3

Commonly Used Acronyms

- BLS = Bureau of Labor Statistics
- CSHO = Compliance Safety and Health Officer
- DOLI = Department of Labor and Industry
- NIOSH = National Institute of Occupational Safety and Health
- OSHA = Occupational Safety and Health Administration
- VOSH = Virginia Occupational Safety and Health

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Framework

§ 40.1-22. of the *Code of Virginia* creates the Safety and Health Codes Board.

- This public policy board is established by the General Assembly to promulgate regulations.
- The Commissioner of DOLI serves as an executive officer of the Virginia Safety and Health Codes Board…and sees that the rules, regulations, and policies that they promulgate are carried out.

Scope:

- Virginia Occupational Safety and Health (VOSH)
- Boiler and Pressure Vessel Safety
- Asbestos and Lead Notification
- Virginia Asbestos NESHAP Act

SHCB Composition – 14 members

12 <u>Governor's Appointees</u>: (4-year terms)

- Agricultural Industry - 1 Labor & 1 Employer Rep
- Manufacturing Industry - 1 Labor & 1 Employer Rep
- Construction Industry - 1 Labor & 1 Employer Rep
- Chem. & Toxic Substances Ind. - 1 Labor & 1 Employer Rep
- Boiler & Pres. Vessel Ind. - 1 Labor & 1 Employer Rep
- General Public - 1 Rep
- Insurance company - 1 Rep

2 <u>"Ex-Officio" members</u>: (permanent terms)

- State Health Commissioner (Virginia Department of Health)
- Director of Department of Environmental Quality (DEQ)

2026 Board Members

- **Jay Abbott**, Director of Operations, Red Sun Farms, LLC, *Agricultural Employer Representative*
- **Kevin Battle**, International Brotherhood of Boilermakers, Local 45, *Boiler and Vessel Pressure Employee Representative*
- **Lee Biedrycki**, President & CEO, Benefinder, *Insurance Company Representative*
- **Kelly Bundy**, Partner, Hirschler Fleishcher, PC, *Construction Industry Employer Representative*
- **Michael Everett**, Scale and Instrumentation Technician, BAE Systems, *Chemical & Toxic Substances Employee Representative*
- **Larry James**, Environmental H&S Manager, Cargill, *Agricultural Employee Representative*
- **Audrey Janosik**, Manager, Medical Program & Regulatory Compliance, Altria *Industrial Employer Representative*
- **Rena Parker**, Environmental H&S Leader, Dupont, *Chemical and Toxic Substances Industrial Representative*
- **William "Allen" Rees**, Senior Director, Altria Client Services, *General Public Representative*
- **Jeffrey Rowe**, Business Manager, International Brotherhood of Electrical Workers, Local 1340, *Manufacturing Industry Employee Representative*
- **Robert Smith**, Professional Engineer, Federal Government, *Boiler and Pressure Vessel Employer Representative*
- **James "Lou" Spencer**, Asst Business Manager, Plumbers and Gasfitters Local Union 5, *Construction Industry Employee Representative*
- **Lance Gregory**, *Virginia Department of Health (VDH) Representative for Dr. Karen Shelton*
- **Joel Canady**, Environmental Manager, *Department of Environmental Quality (DEQ) Representative for Mr. Michael Rolband*

Safety and Health Codes Board

- The Board adopts Virginia occupational safety and health regulations
- DOLI supports regulatory development, implementation and enforcement

Board Decision Criteria

- Protection against material impairment of worker health
- Best available evidence and current scientific information
- Feasibility and experience under safety and health laws
- Objective criteria and protective outcomes

Statute vs. Regulation

Statute: provides the **"big picture",** *i.e.:*

- General Assembly says workplaces will be safe,
- SHCB will be the regulatory rule maker,
- Department of Labor and Industry shall enforce.

Regulation: provides the regulated community **details** or the specific requirements. *Examples*:

- Is this scaffolding set up safely?
- Is PPE required here?
- What are the boiler fees?

Both statutes and regulations have the force and effect of law.

Virginia's regulatory process

Stage	What happens
NOIRA	Agency announces intent and gathers early comments
Development	RAP advice and evidence inform draft text
Proposed stage	Board action, applicable review and publication
Public participation	60 days for proposed-stage submissions
Final stage	Agency considers comments, Board acts and review continues
Public participation	30 days for final-stage submissions
Publication / effective date	Final text and effective date establish compliance duties

Guide to Standard Regulatory Process for the Safety and Health Codes Board

BOARD ACTION: Authorize NOIRA
(Meeting)
- SHCB to authorize initiation of a Notice of Intended Regulatory Action (NOIRA) as well as a Regulatory Advisory Panel (RAP).

DOLI ACTION: Notice of Intended Regulatory Action (NOIRA)
- DOLI Submits NOIRA on Town Hall for executive Review & Publication in the *Virginia Register of Regulations* which begins 30-day public comment period including a public comment forum on the Town Hall.

DOLI ACTION: Development of Proposed Regulation Text
- DOLI considers public comments and establishes a RAP to discuss a proposed regulatory text to present to the SHCB.

BOARD ACTION: Approve Proposed Regulation Text
(Meeting)
- SHCB considers the draft proposed regulation text and authorizes DOLI to post adopted proposed text to begin the Proposed Regulatory Stage on Town Hall.

*SHCB may adopt with or without changes to draft proposed text.

DOLI ACTION: Proposed Regulatory Stage
- DOLI submits proposed stage with the adopted proposed regulation text on Town Hall for executive branch review and publication in the *Register* which begins a 60-day public commment period including a public comment forum on the Town Hall.

DOLI ACTION: Development of Final Regulation Text
- DOLI considers public comments and develops a final regulatory text to present to the SHCB.

BOARD ACTION: Adopt Final Regulation
(Meeting)
- SHCB considers the draft final regulatory text and authorizes DOLI to post agreed upon adopted final regulation text to begin the Final Regulatory Stage on Town Hall.

*SHCB may adopt with or without changes to draft final text.

DOLI ACTION: Final Regulatory Stage
- DOLI submits final stage with the adopted final regulatory text to Town Hall for executive review and publication in the *Virginia Register of Regulations*.
- 30-day final adoption period begins.
- **Regulation becomes effective.**
  - (unless it is suspended or 25+ people request additional public comment period).

Current rulemaking stage

- New chapter under development: 16VAC25-210
- NOIRA published August 24, 2026
- NOIRA public comment deadline: September 23, 2026
- RAP discussions now inform draft development

➢ Discussion/questions

- What questions do you have about the RAP's advisory role, Board decision points, or opportunities for public input?

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2026 General Assembly and the RAP mandate

- 2026 HB 1092 became Chapter 731. SB 288 became Chapter 732
- Code of Virginia § 40.1-44.2 directs the Board to adopt heat protections
- The legislation requires adoption by May 1, 2028
- The legislation also directs the Board to convene an advisory panel

Legislative Background

2026 Virginia General Assembly enacted Code of Virginia § 40.1-44.2

This directs the Safety and Health Codes Board (SHCB) to adopt standards addressing heat illness prevention for workers performing indoor and outdoor work by **May 1, 2028**.

Established minimum elements that must be addressed through the standard including requirements for each employer to:

- provide water
- access to shade or climate-controlled environments when practicable
- rest periods
- acclimatization to working in heat
- effective training regarding heat illness prevention
- implement of heat and high-heat procedures when the temperature equals or exceeds certain heat thresholds
- establish effective emergency response procedures

B. ***The Board shall adopt regulations establishing standards designed to protect workers from heat illness during indoor and outdoor work.*** *Such standards shall include requirements for each employer to (i) provide water, access to shade or climate-controlled environments when practicable, rest periods, acclimatization to working in heat, and effective training regarding heat illness prevention; (ii) implement heat and high-heat procedures when the temperature equals or exceeds heat thresholds set by the Board; and (iii) establish effective emergency response procedures. There shall be exemptions for (a) heat exposure during the provision of emergency services that involve emergency law enforcement, emergency medical services, firefighting services, rescue and evacuation operations, emergency highway construction or maintenance, or emergency restoration of essential utilities, including electric and telecommunication utilities, and (b) heat exposure lasting no longer than 15 consecutive minutes.*

Panel composition and advisory role

- Employee advocates and stakeholders comprise at least half the panel
- Membership includes agriculture and business stakeholders and public higher education
- Panelists contribute experience and technical advice

Required subjects for consideration

- Federal OSHA and NIOSH materials
- Virginia’s 2021 Draft Heat Illness Prevention Standard
- ACGIH and ANSI standards
- Maryland, Oregon and California heat standards

Statutory elements

1. Temperature thresholds

2. Water, rest periods and acclimatization

3. Access to shade or climate-controlled environments when practicable

4. Training and heat/high-heat procedures

5. Emergency response procedures

➢ Discussion/questions

- Which required element is least developed in existing workplace practices, and what experience leads you to that view? Which is most developed?

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Scope, application and exemptions

- Indoor and outdoor exposure
- Worker coverage
- Emergency-service activities
- Exposure lasting no longer than 15 consecutive minutes

Indoor and outdoor application

- **Outdoor examples:** construction, agriculture, landscaping and public works
- **Indoor examples:** kitchens, laundries, manufacturing and hot equipment rooms
- **Mixed work:** loading docks, vehicles, temporary structures and mobile crews
- Exposure conditions may change across tasks and locations

➢ Discussion/Questions

- Which indoor tasks create significant heat exposure even when outdoor conditions appear moderate?

- What challenges arise in locating water, cooling areas, and communications at temporary or moving worksites?

Worker Coverage

- Worker coverage extends to employees, independent contractors and other laborers

- The statutory worker definition depends on employer control of worksite conditions

➢ Discussion/Questions

- What work arrangements in your field involve employees, contractors, temporary workers, or other laborers under another entity's control?
- How do responsibility and communication work when several employers or a staffing agency share a site?
- What practical examples would clarify worker coverage without relying solely on job titles or contract labels?
  - Including mobile crews, seasonal workers, or workers moving between sites during a shift?

Exemptions

"There shall be exemptions for (a) heat exposure during the provision of emergency services that involve emergency law enforcement, emergency medical services, firefighting services, rescue and evacuation operations, emergency highway construction or maintenance, or emergency restoration of essential utilities, including electric and telecommunication utilities, and (b) heat exposure lasting no longer than 15 consecutive minutes."

➢ Discussion/Questions

- What jobs involve repeated entries of 15 minutes or less, and what are the conditions between entries?
- What would help employers and workers apply the consecutive-minutes language consistently in real work patterns?
- Any questions on exemptions?

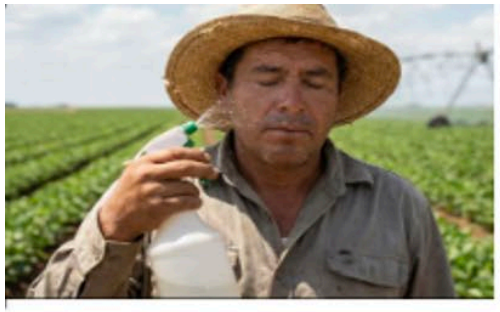


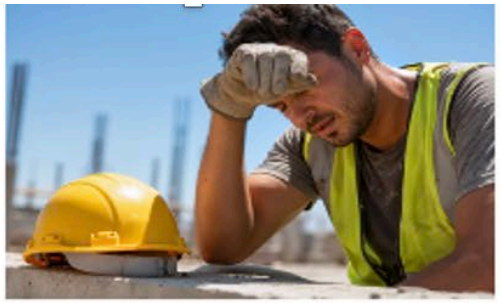
15-minute break

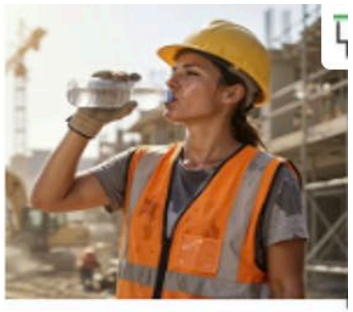
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The Impact of Heat On Peoples' Health

Regulatory Advisory Panel
HB1092/SB288
Protection of employees;
Standards for heat illness prevention

Bob Kitchen, MD
Oct 15th, 2026

VCCA
Virginia Clinicians for Climate Action

The Impact of Heat on Peoples' Health

Agenda

- Trend in Higher Temperatures with a Focus on Virginia
- The Impact of Higher Temperatures on Workers
- The Effects of Increasing Heat on the Body's Systems
- The Stages and Management of Heat Related Illnesses

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Federal Legislation-HR4443/S2298

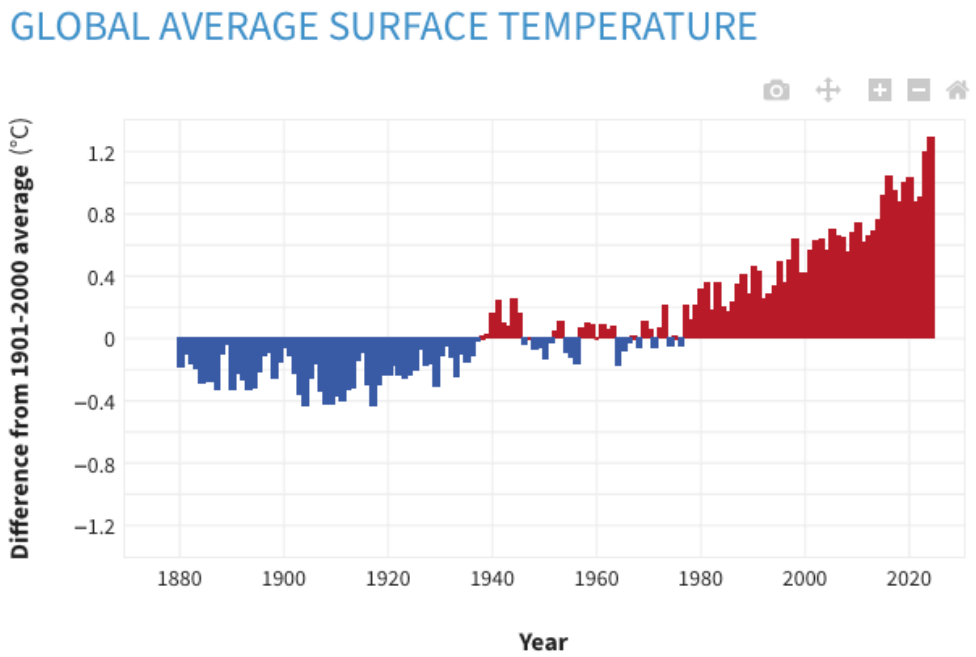
- Mr. Asunción Valdivia came to America in July of 2004 to join his son.
- 5 days later, after working 10 hours picking grapes in the 105 degree heat, he collapsed in a field from heatstroke.
- **The crew's boss told Luis to drive his father home.** In the car, Mr. Valdivia began foaming at the mouth and then went limp.
- Luis immediately headed to the closest hospital but by the time they reached their destination his father had died.

Asuncion Valdivia Heat Illness and Fatality Prevention Act

(Federal legislation designed to mandate enforceable OSHA standards protecting indoor and outdoor workers from extreme heat stress)

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Trend in Higher Temperatures



Yearly surface temperature from 1880–2024 compared to the 20th-century average (1901-2000). Blue bars indicate cooler-than-average years; red bars show warmer-than-average years. NOAA Climate.gov graph, based on data from the National Centers for Environmental Information.

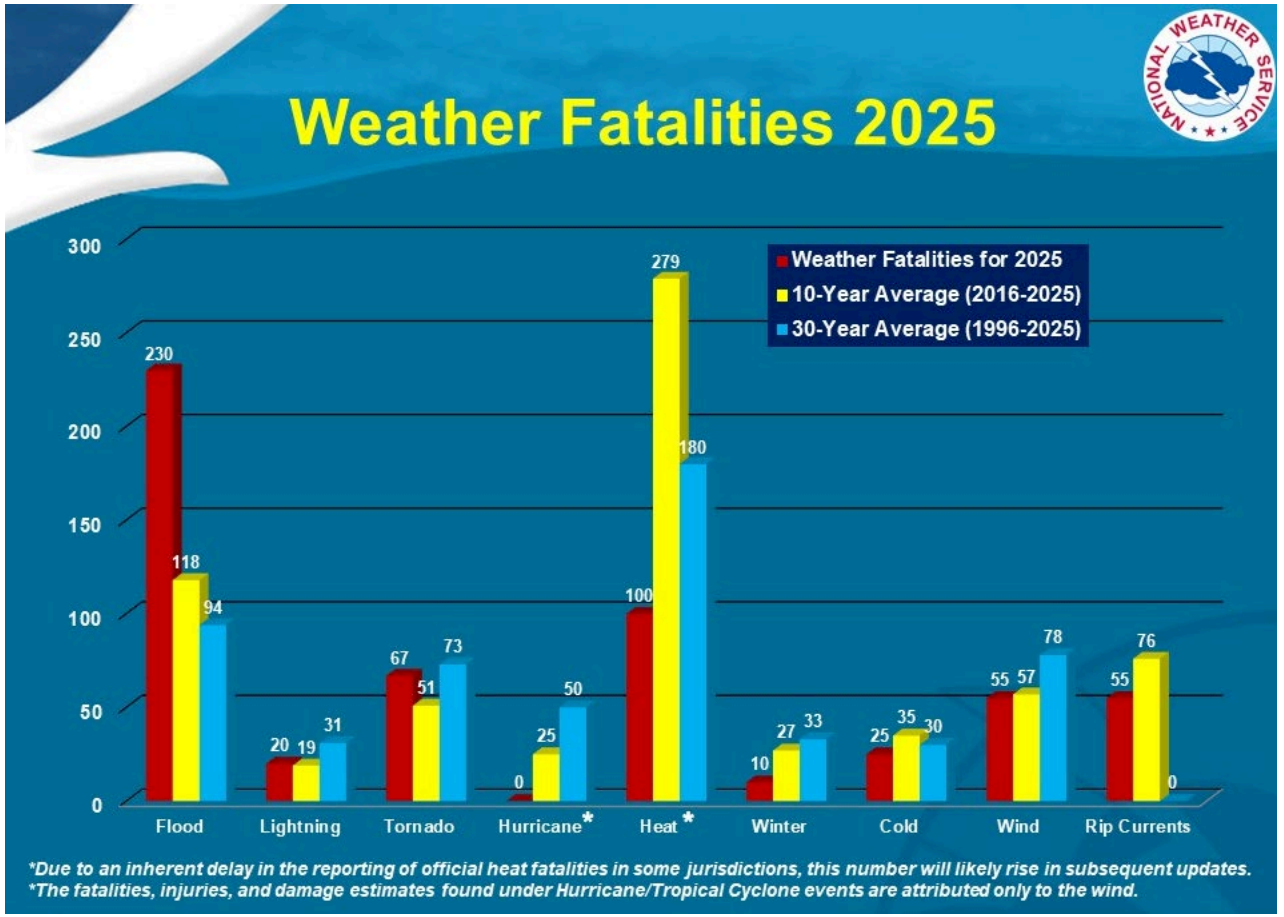
2024 was the warmest year since global records began in 1850 by a wide margin.

The 10 warmest years in the historical record have all occurred in the past decade (2015-2024).

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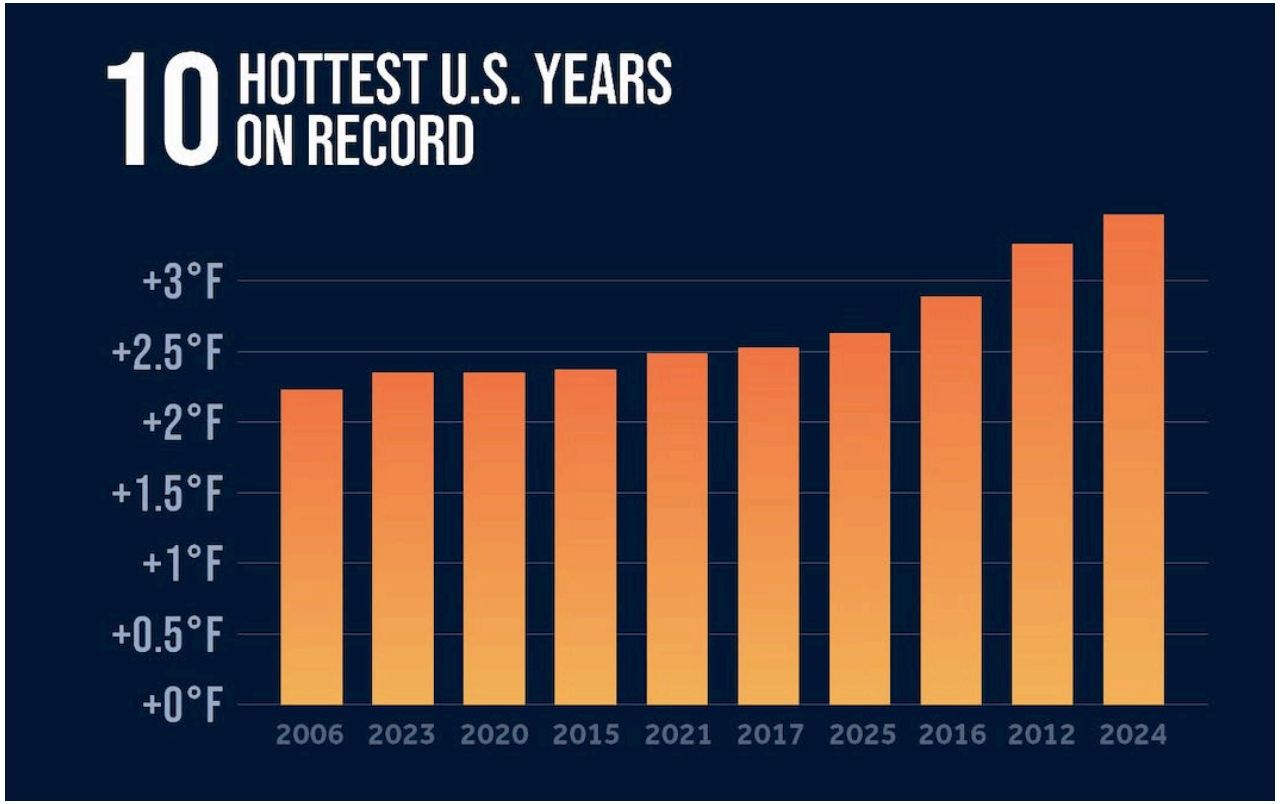
Trend in Higher Temperatures

Heat is the leading weather-related killer in the United States



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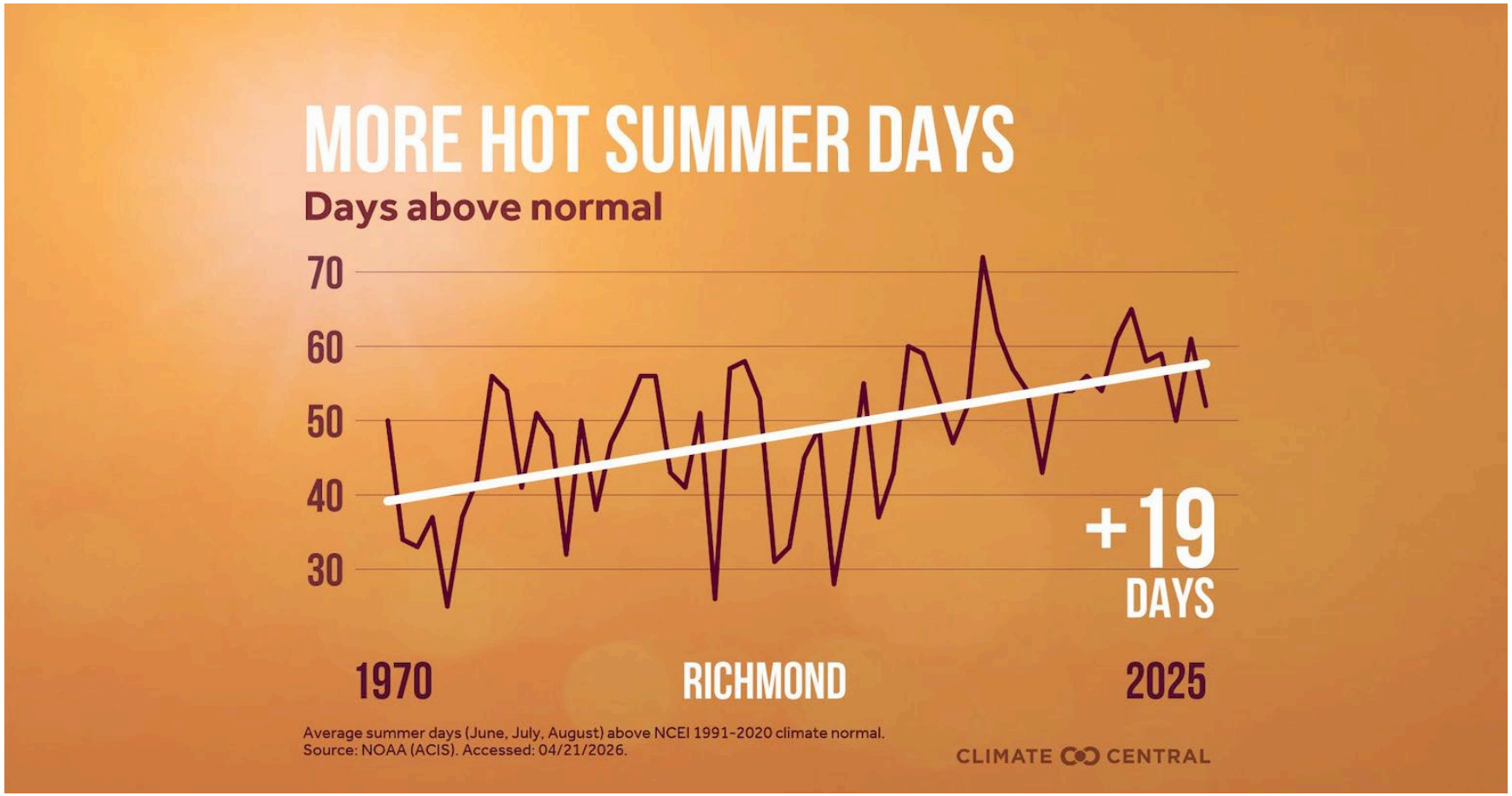
Trend in Higher Temperatures



[Compared to the 20th century (1901-2000) average]

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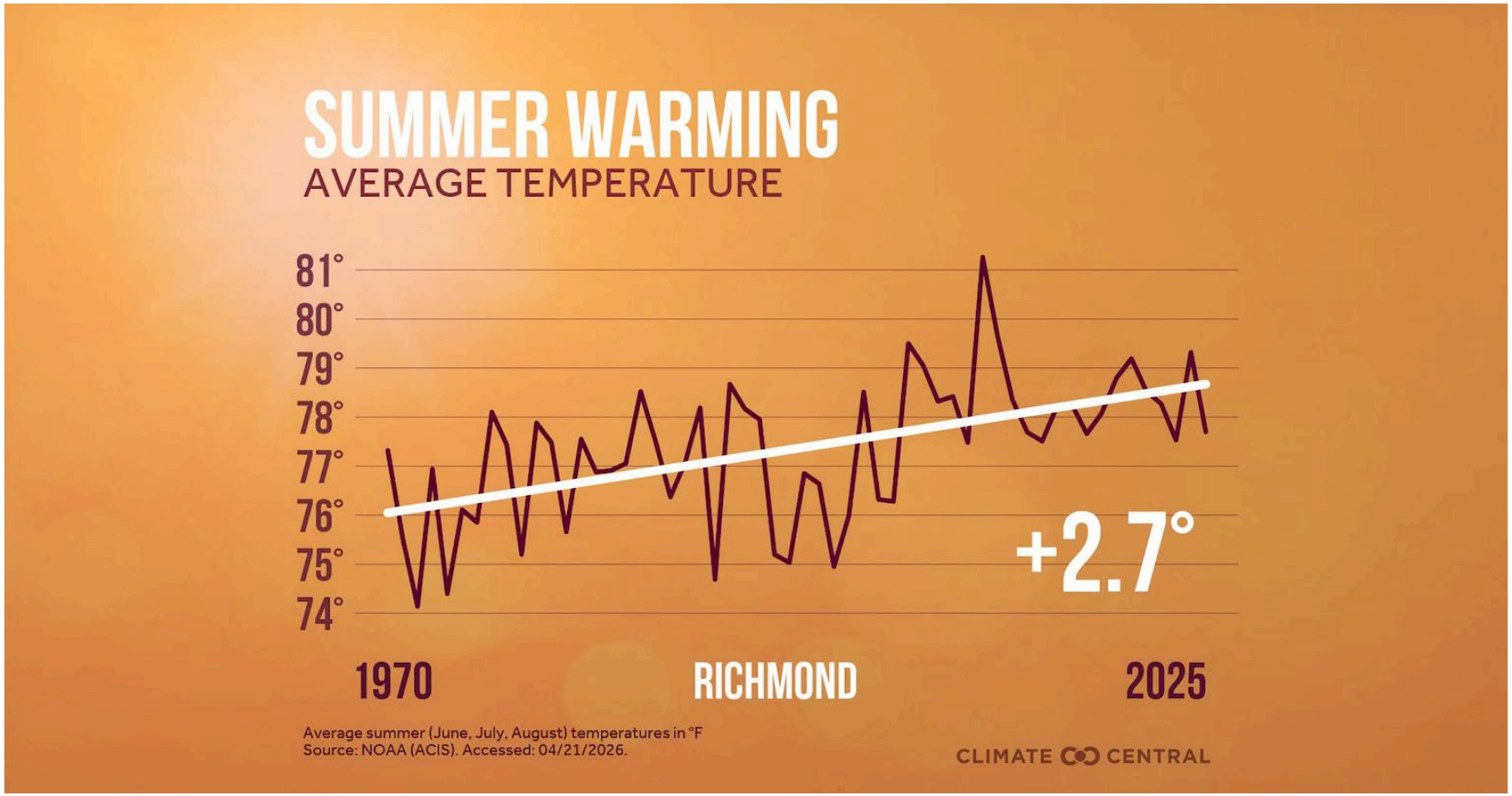
Trend in Higher Temperatures



(June, July, August 1991-2020 averages)

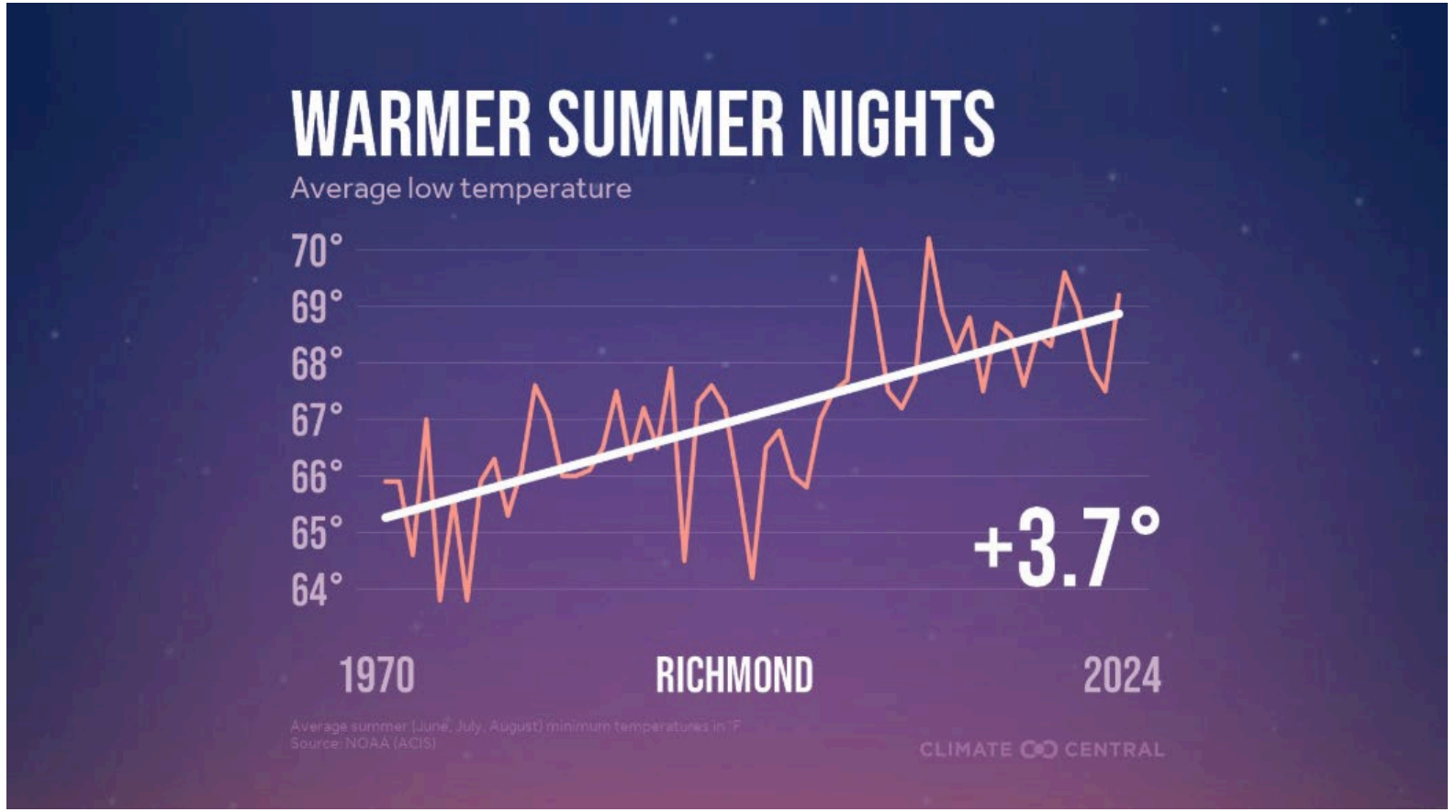
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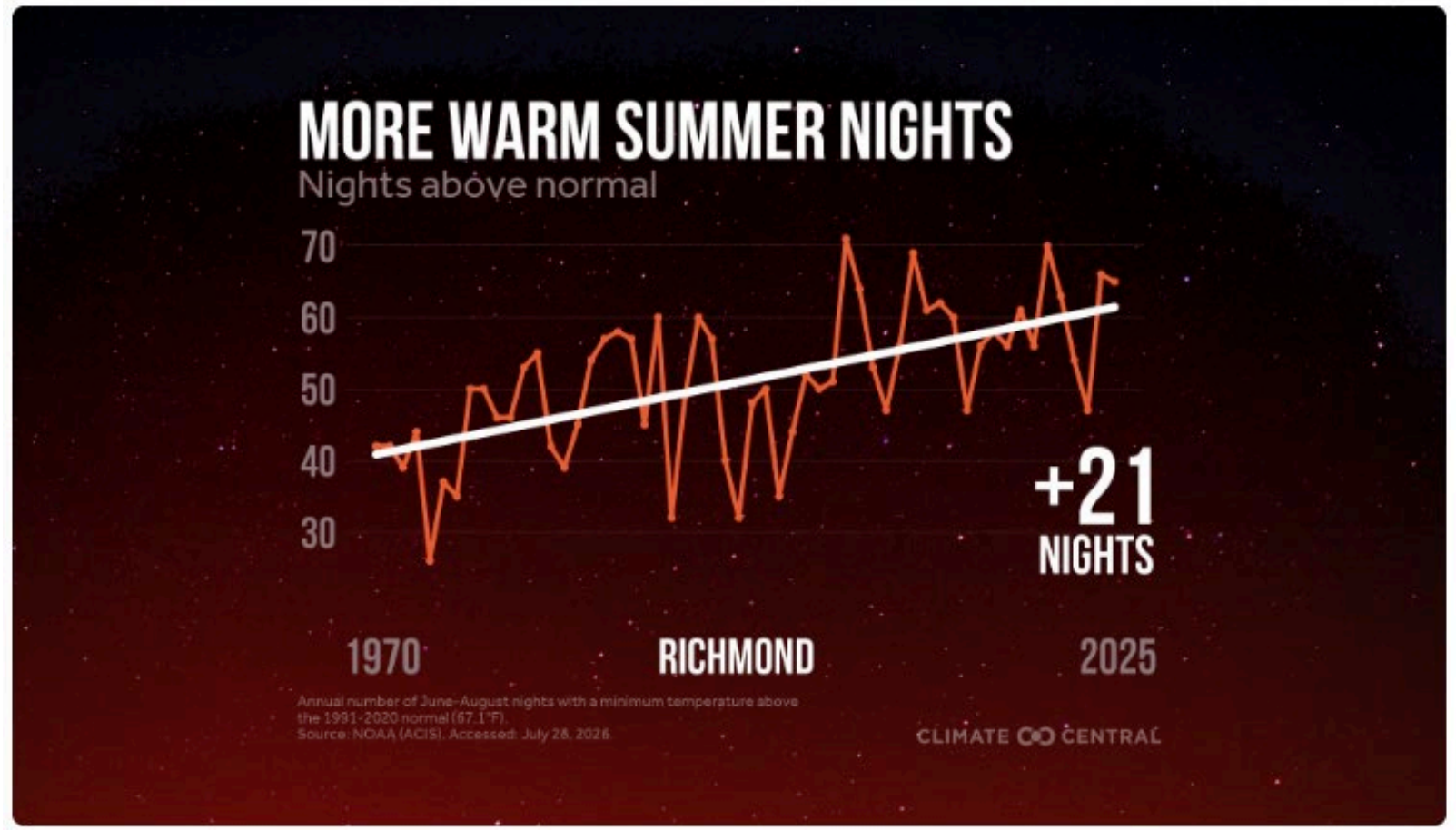
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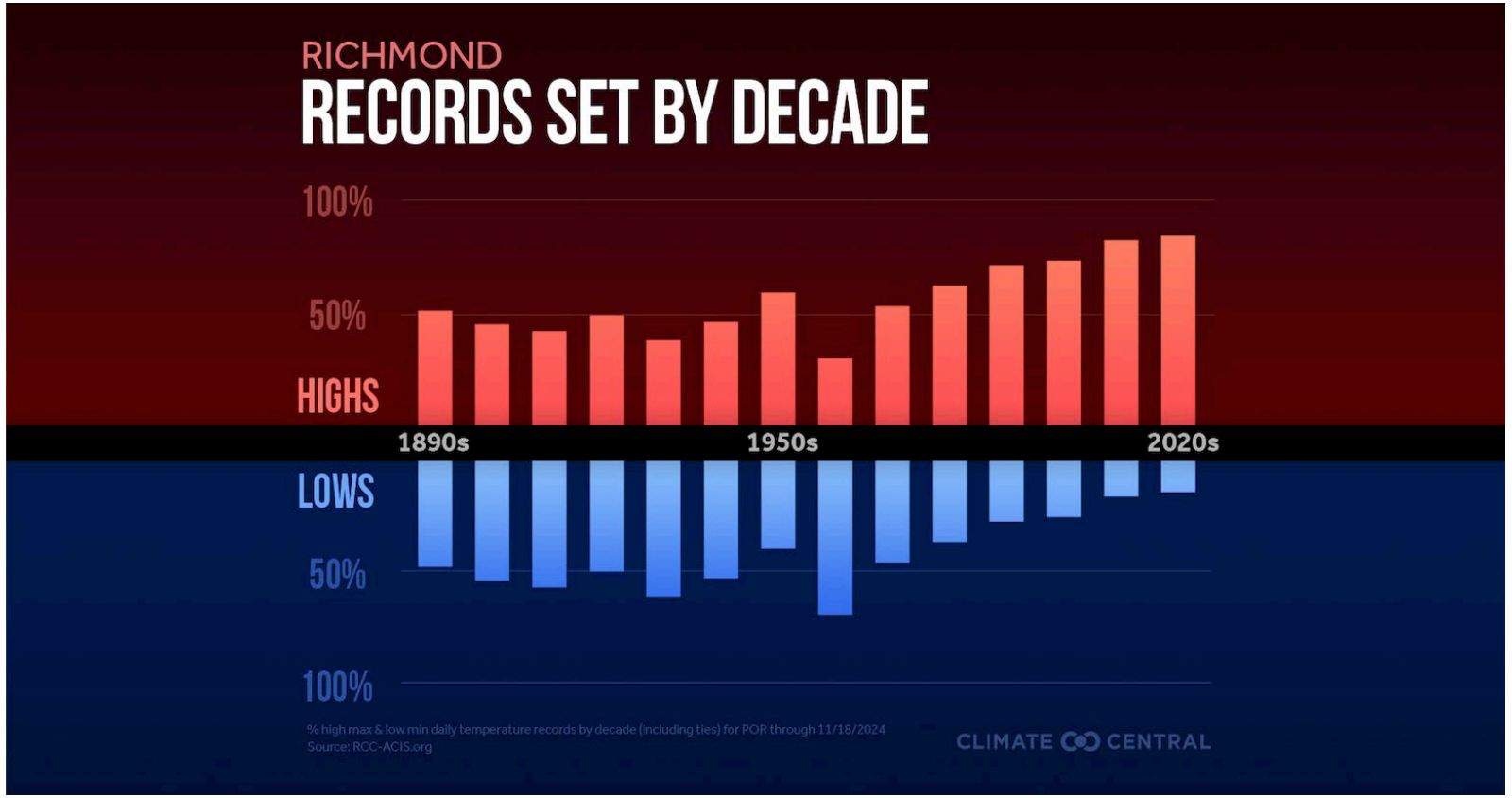
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Trend in Higher Temperatures



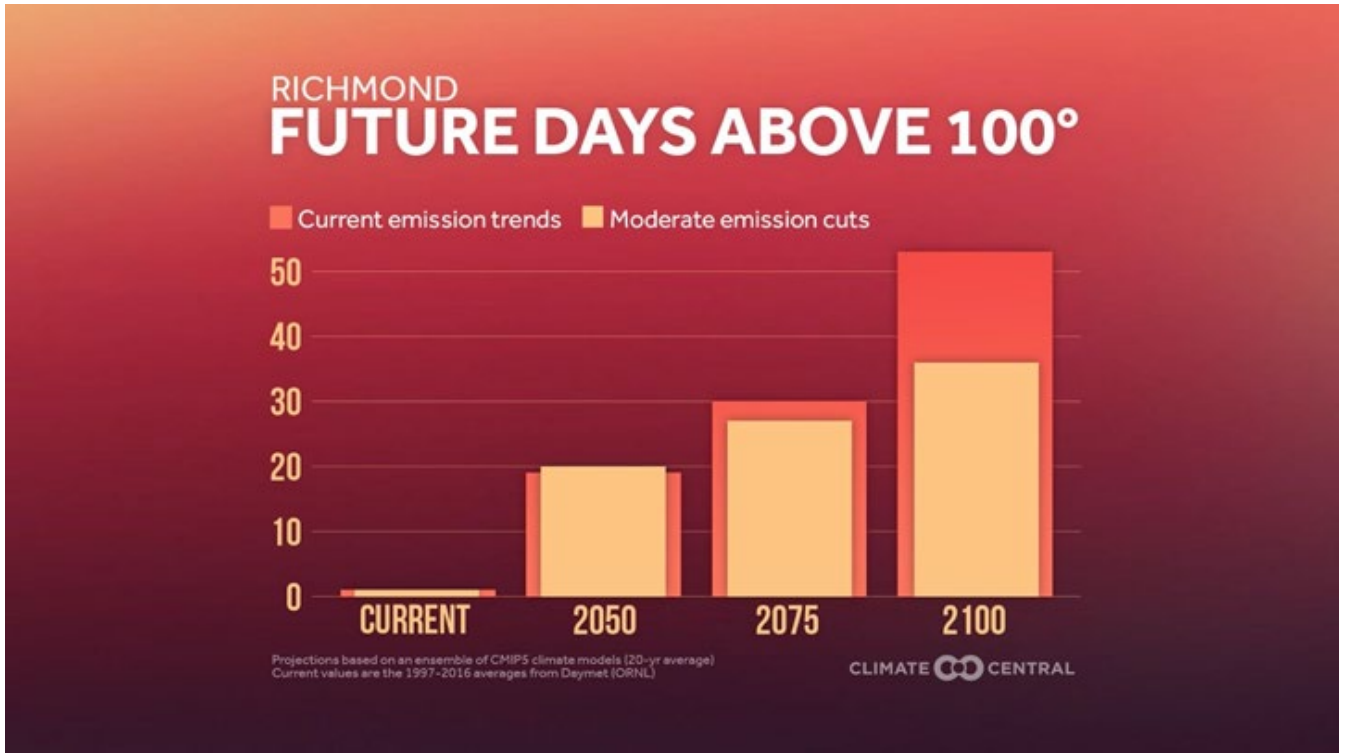
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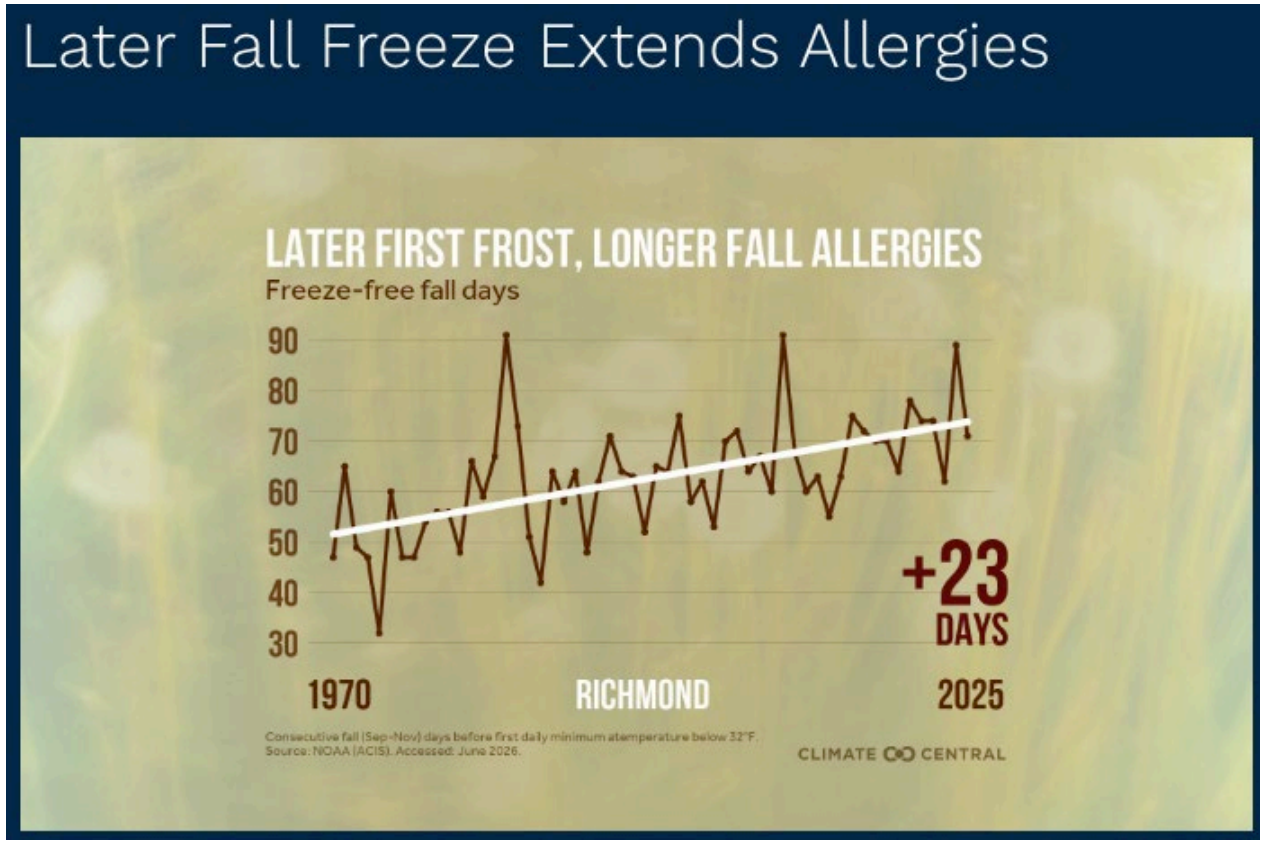


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Trend in Higher Temperatures

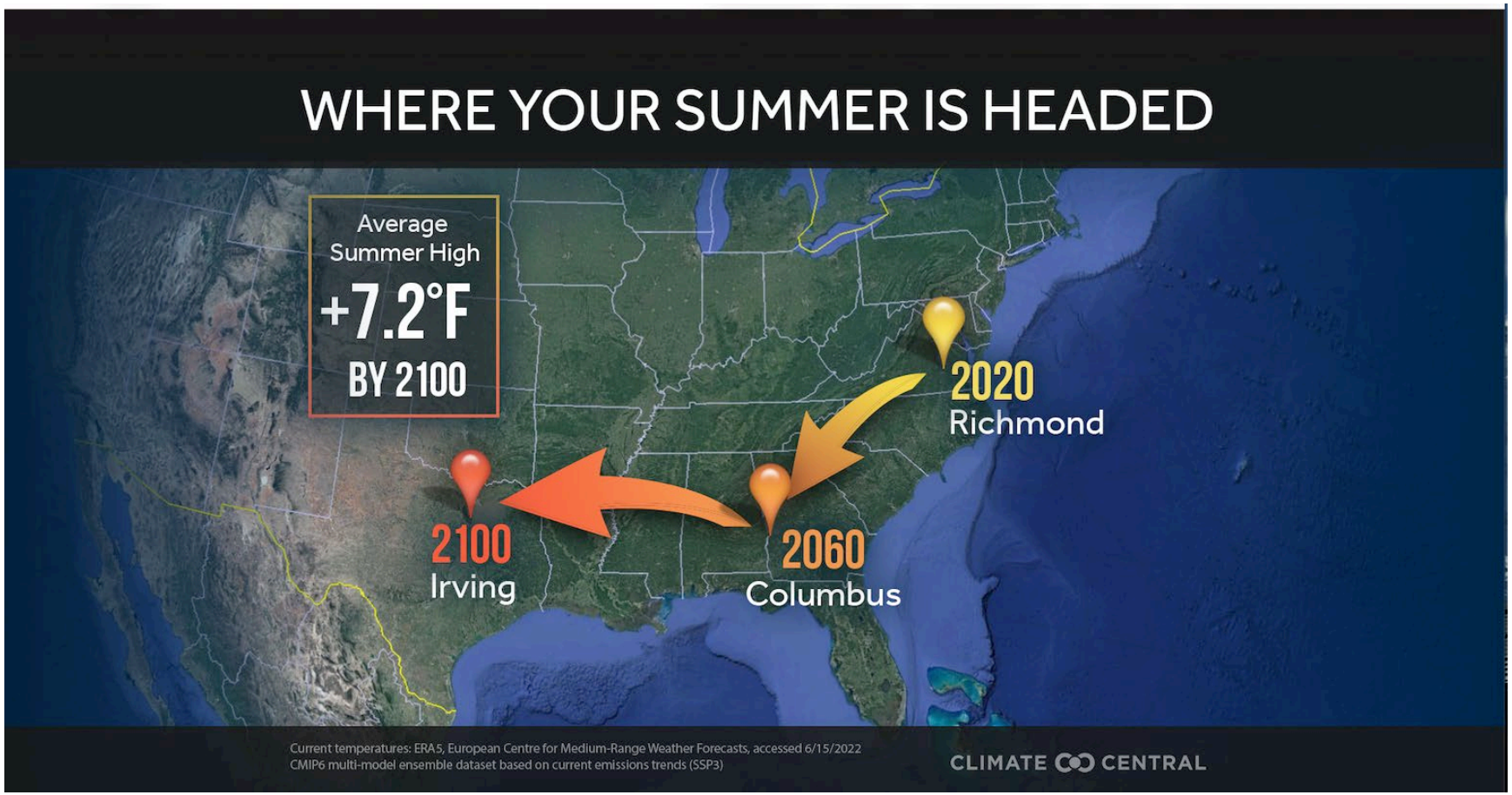


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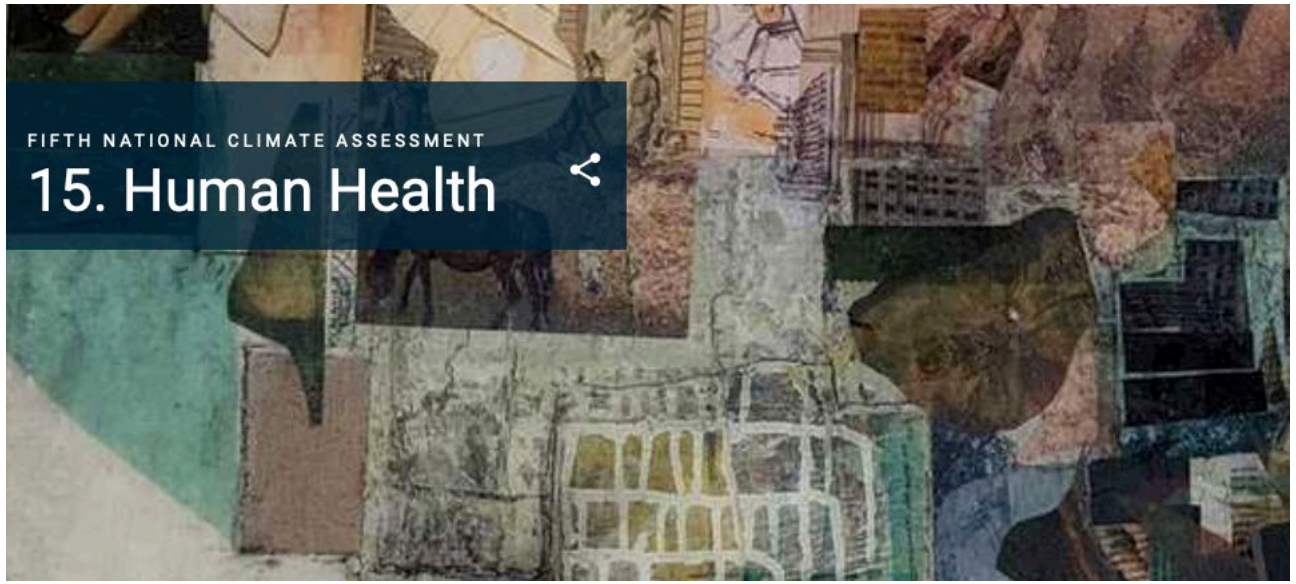
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Trend in Higher Temperatures



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Impact of Higher Temperatures on Workers



The Fifth National Climate Assessment highlighted that intensifying extreme heat significantly threatens the health, safety, and economic security of U.S. outdoor workers.

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Impact of Higher Temperatures on Workers

- Official U.S. government data (BLS) shows that approximately 40 to 50 workers die directly from environmental heat exposure each year on the job.

- Independent epidemiological models and research organizations, such as Public Citizen, estimate that the true toll is closer to **550 to 2,000 workers dying annually** from the secondary and direct impacts of extreme heat.

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Impact of Higher Temperatures on Workers

U.S. Economic Costs

- By 2090, according to the 2018 National Climate Assessment, the costs of lower labor productivity under rising temperatures is estimated to reach **$160,000,000,000** in lost wages annually in the United States.

- **Current Losses:** Heat-related labor productivity losses in the U.S. cost roughly **$100 billion to $220 billion annually**.

- **Projected Losses:** Damages are estimated to hit **$200 billion by 2030** and reach **$500 billion annually by 2050** (about 1% of U.S. GDP).

- **Productivity Drops:** Individual worker output drops by roughly **25% at 90°F** and up to **70% at temperatures above 100°F**.

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The Effects of Increasing Heat on the Body's Systems

Renal 

Cardiovascular 

Pulmonary 

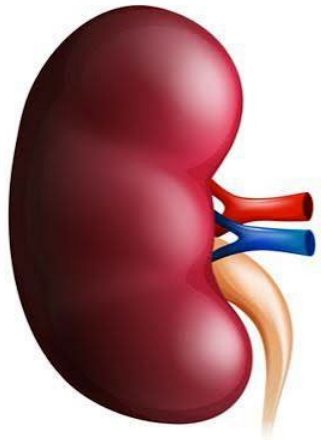
Nervous System 

Behavioral Health 

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Heat’s Effects on the Renal System

- **Acute Kidney Injury (AKI):** Sudden drops in blood flow and severe dehydration can cause the kidneys to temporarily stop working properly.
- **Chronic Kidney Disease (CKD) & "Heat-Stress Nephropathy":** Repeated episodes of heat stress, dehydration, and subclinical kidney injury—often seen in agricultural or outdoor workers—can lead to progressive scarring and chronic damage.
- **Kidney Stones:** Chronic low fluid volume and concentrated urine raise the risk of mineral and acid stone formation.
- **Rhabdomyolysis:** Extreme physical exertion in high heat can break down muscle tissue, releasing proteins into the bloodstream that severely damage the kidneys.



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Heat’s Effects on the Cardiovascular System

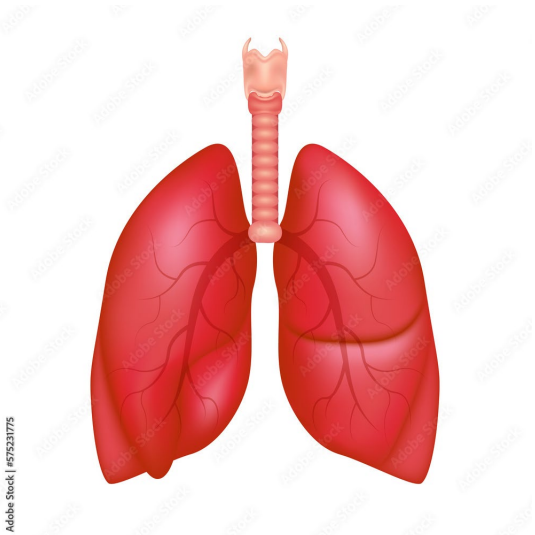
- **Drop in Blood Pressure (Hypotension):** As blood vessels expand and fluids are lost, blood pressure can drop, sometimes leading to dizziness or lightheadedness.
- **Increased Heart Rate (Tachycardia):** The heart must beat faster and pump **2 to 4 times more blood per minute** to maintain proper circulation while routing blood to the skin. Generally, the heart rate increases by about **10 beats per minute** for every degree Fahrenheit your core temperature rises.
- **Increased Strain:** Prolonged exposure can trigger heat exhaustion, heat stroke, arrhythmias, heart failure flare-ups, or acute events like heart attacks and strokes.
- **Sweating and Dehydration:** Heavy sweating reduces total blood volume and concentrates the blood (making it "thicker" or more prone to clotting), which further strains the heart.



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Heat’s Effects on the Pulmonary System

- **Airway Inflammation and Injury:** Short-term or extreme heat damages lung epithelial cells, triggers cytokine release, and causes local inflammation.
- **Bronchoconstriction:** High temperatures and heat-sensitive nerve receptors (like TRPV1) can trigger reflexes that narrow the airways, increasing airway resistance by up to 112% and worsening shortness of breath.
- **Increased Respiratory Rate:** To help cool the body, your breathing rate and depth increase (hyperventilation), which raises oxygen demand and puts physical strain on the lungs.
- **Dehydration and Mucus Thickening:** Heat causes fluid loss, drying out nasal passages and thickening respiratory mucus, which lowers the body's ability to clear bacteria and viruses.
- **Ground-Level Ozone and Pollution:** High temperatures cook stagnant air and trap ground-level ozone, smoke, and allergens, compounding lung irritation.
- **Worsened Chronic Conditions:** For people with **asthma**, **COPD**, or **pulmonary fibrosis**, heat stress sharply increases the risk of flare-ups, hospitalizations, and breathing difficulty.



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Heat’s Effects on the Nervous System

Effects on Existing Neurological Conditions

- **Epilepsy:** Extreme heat increases seizure frequency and epilepsy-related hospitalizations.
- **Multiple Sclerosis (MS):** Higher temperatures cause temporary symptom flare-ups known as Uhthoff's phenomenon.
- **Migraines:** Thermal stress and dehydration trigger or intensify migraine frequency.
- **Neurodegenerative Diseases:** Chronic or acute heat stress accelerate cognitive decline in patients with
  - Alzheimer's
  - Parkinson's Disease
  - Dementia



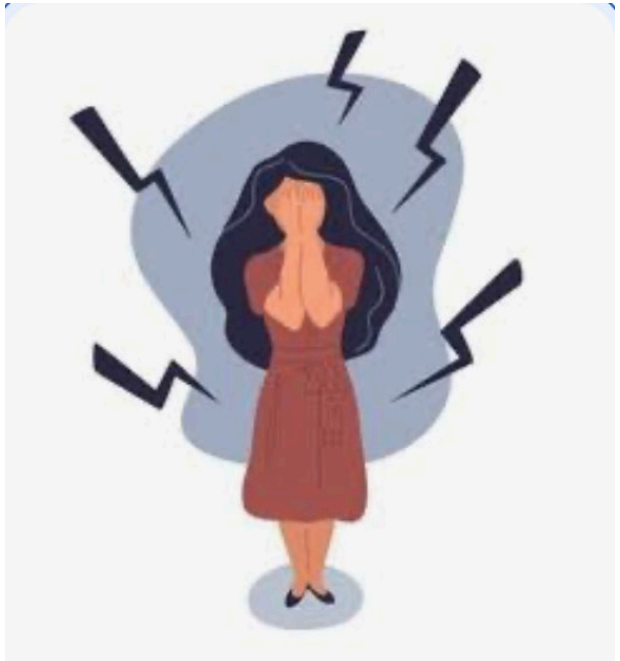
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Heat's Effects on Mental Health

Exposure to high temperatures can worsen the symptoms of pre-existing mental health problems including:

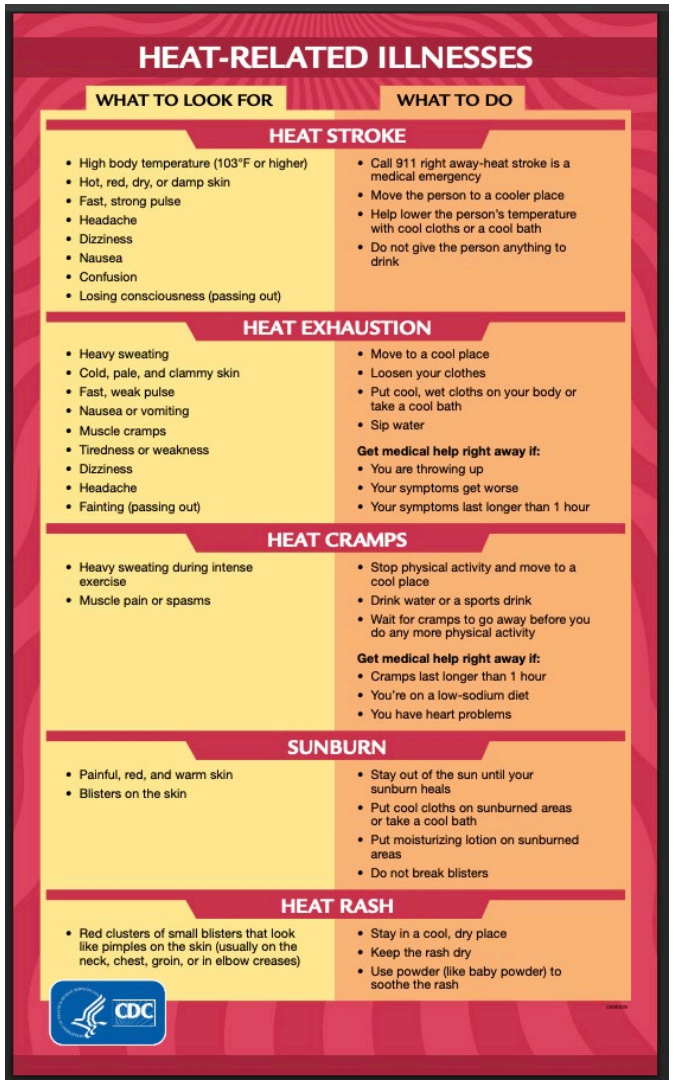
- anxiety and stress-related disorders
- mood disorders,
- childhood behavioral disorders,
- conditions that lead to self-harming behavior,
- schizophrenia,
- and substance use disorders.

This can be seen in an increase in mortality rates, especially for people who live with substance use disorders.



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The Stages and Management of Heat Related Illnesses (HRI)



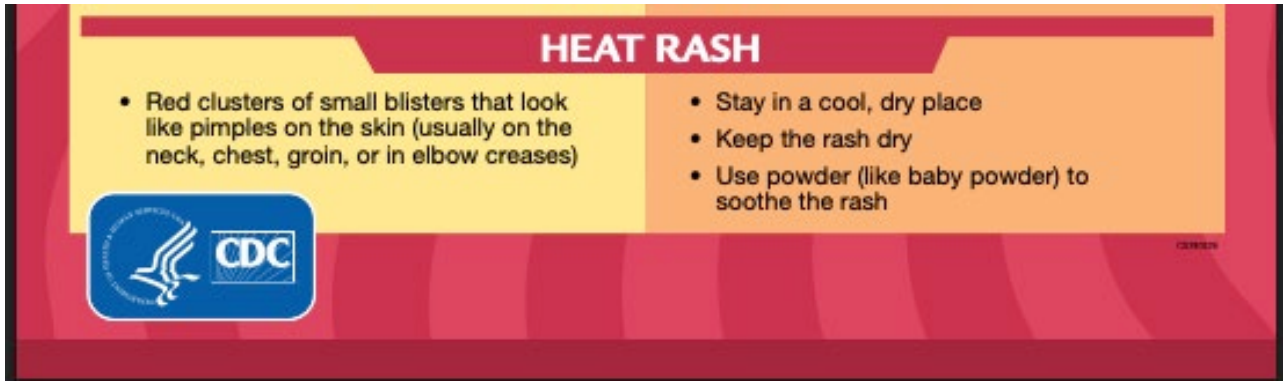
HEAT-RELATED ILLNESSES

WHAT TO LOOK FOR	WHAT TO DO
HEAT STROKE	
• High body temperature (103°F or higher) • Hot, red, dry, or damp skin • Fast, strong pulse • Headache • Dizziness • Nausea • Confusion • Losing consciousness (passing out)	• Call 911 right away-heat stroke is a medical emergency • Move the person to a cooler place • Help lower the person's temperature with cool cloths or a cool bath • Do not give the person anything to drink
HEAT EXHAUSTION	
• Heavy sweating • Cold, pale, and clammy skin • Fast, weak pulse • Nausea or vomiting • Muscle cramps • Tiredness or weakness • Dizziness • Headache • Fainting (passing out)	• Move to a cool place • Loosen your clothes • Put cool, wet cloths on your body or take a cool bath • Sip water **Get medical help right away if:** • You are throwing up • Your symptoms get worse • Your symptoms last longer than 1 hour
HEAT CRAMPS	
• Heavy sweating during intense exercise • Muscle pain or spasms	• Stop physical activity and move to a cool place • Drink water or a sports drink • Wait for cramps to go away before you do any more physical activity **Get medical help right away if:** • Cramps last longer than 1 hour • You're on a low-sodium diet • You have heart problems
SUNBURN	
• Painful, red, and warm skin • Blisters on the skin	• Stay out of the sun until your sunburn heals • Put cool cloths on sunburned areas or take a cool bath • Put moisturizing lotion on sunburned areas • Do not break blisters
HEAT RASH	
• Red clusters of small blisters that look like pimples on the skin (usually on the neck, chest, groin, or in elbow creases)	• Stay in a cool, dry place • Keep the rash dry • Use powder (like baby powder) to soothe the rash

CDC

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HRI-Heat Rash



"Prickly Heat"





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HRI-Sunburn

SUNBURN

- Painful, red, and warm skin
- Blisters on the skin

- Stay out of the sun until your sunburn heals
- Put cool cloths on sunburned areas or take a cool bath
- Put moisturizing lotion on sunburned areas
- Do not break blisters





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HRI-Heat Cramps

HEAT CRAMPS

- Heavy sweating during intense exercise
- Muscle pain or spasms

- Stop physical activity and move to a cool place
- Drink water or a sports drink
- Wait for cramps to go away before you do any more physical activity

Get medical help right away if:

- Cramps last longer than 1 hour
- You're on a low-sodium diet
- You have heart problems





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HRI-Heat Exhaustion

HEAT EXHAUSTION

- Heavy sweating
- Cold, pale, and clammy skin
- Fast, weak pulse
- Nausea or vomiting
- Muscle cramps
- Tiredness or weakness
- Dizziness
- Headache
- Fainting (passing out)

- Move to a cool place
- Loosen your clothes
- Put cool, wet cloths on your body or take a cool bath
- Sip water

Get medical help right away if:

- You are throwing up
- Your symptoms get worse
- Your symptoms last longer than 1 hour





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HRI-Heat Stroke

HEAT STROKE

- High body temperature (103°F or higher)
- Hot, red, dry, or damp skin
- Fast, strong pulse
- Headache
- Dizziness
- Nausea
- Confusion
- Losing consciousness (passing out)

- Call 911 right away-heat stroke is a medical emergency
- Move the person to a cooler place
- Help lower the person's temperature with cool cloths or a cool bath
- Do not give the person anything to drink





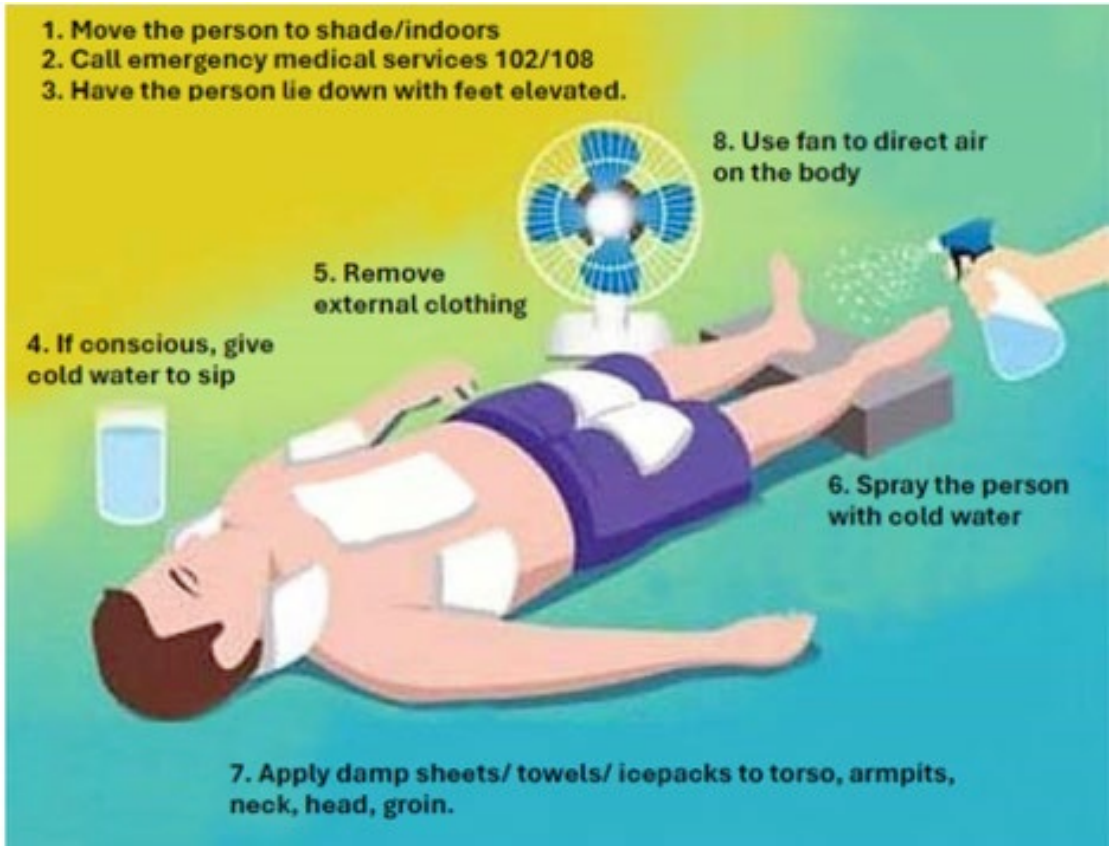
A 2022 review found that it can be fatal for nearly two-thirds of people who experience it during a heat wave, and some of those who do survive experience persistent brain damage. https://www.nature.com/articles/s41572-021-00334-6

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HRI-Heat Stroke Management

EPA United States Environmental Protection Agency

- Call 911 immediately and follow the operator's directions—**this is a medical emergency.**
- Reduce the person's body temperature with whatever methods you can: wrap the person in cool cloths, immerse them in a cool bath, or spray them with cool hose water.
- After administering cooling methods, move the person to a cooler place.
- Do NOT give liquids.
- If there is uncontrollable muscle twitching, keep the victim safe, but do not place any objects in his or her mouth.
- If there is vomiting, turn the victim on his or her side to keep the airway open.



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California Worker Heat Protection

- **Renamed the Maria Isabel Vasquez Jimenez Heat Illness Prevention Regulation *in 2018***

- 17 y/o Maria Jimenez was tying grape vines at a farm east of Stockton in May of 2008 when the temperature went well above 95 degrees. **The nearest water cooler was a 10-minute walk away**, which was a longer time than the workers' break. Ms. Jimenez collapsed from heat exhaustion.

- When she arrived at the hospital she was in a coma, her body temperature topped 108 degrees, and she died two days later.

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The Impact of Heat on Peoples' Health

Thank you and will be happy to answer any questions.



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Virginia Clinicians for Climate Action

Agenda

- Welcome and introductions
- Meeting procedures
- Safety and Health Codes Board and Virginia's regulatory process
- Purpose, legal basis, and advisory role of the RAP
- Discussion of scope, application, and statutory exemptions
- Health impact of heat
- Federal guidance, consensus standards, and state models
- Virginia heat illness data
- Public comment
- Next steps and adjournment

Federal guidance, consensus standards, and state models

Source	What it contributes to our discussion
Federal OSHA proposed rule	Proposed requirements and supporting analysis
NIOSH	Research and recommended prevention practices
American Conference of Governmental Industrial Hygienists (ACGIH)	Technical guidance for assessing occupational heat stress
American Society of Safety Professionals (ASSP)/ American National Standards Institute (ANSI)	A framework for managing heat stress in construction and demolition
Virginia 2021 draft	Historical draft for consideration under the enactment
Maryland / Oregon / California	Adopted regulatory approaches in those jurisdictions

Federal OSHA proposal

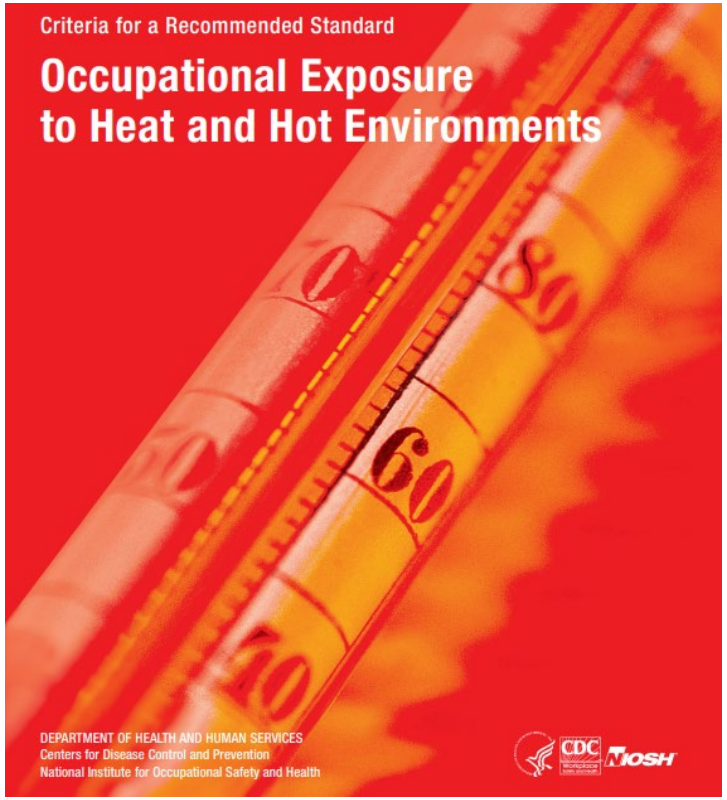
- Published August 30, 2024 for indoor and outdoor work
- Proposed initial trigger: heat index of 80°F
- Proposed high-heat trigger: heat index of 90°F

Federal Proposed Rule

- Written heat injury and illness prevention plan
- Water, cooling areas, acclimatization and communication
- Additional observation and alerts at high heat
- Proposed high-heat rest: at least 15 minutes every two hours

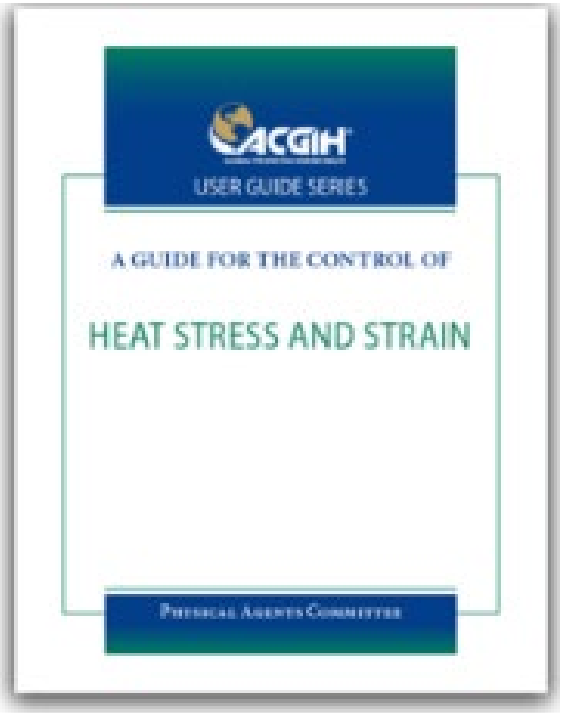
NIOSH — Connecting heat assessment to prevention

- Considers environmental heat and heat generated by physical work.
- Addresses assessment, acclimatization, controls, and worker protection.
- Provides technical information to support prevention decisions.
- Weather-based screening tools need to be considered alongside actual workplace conditions.



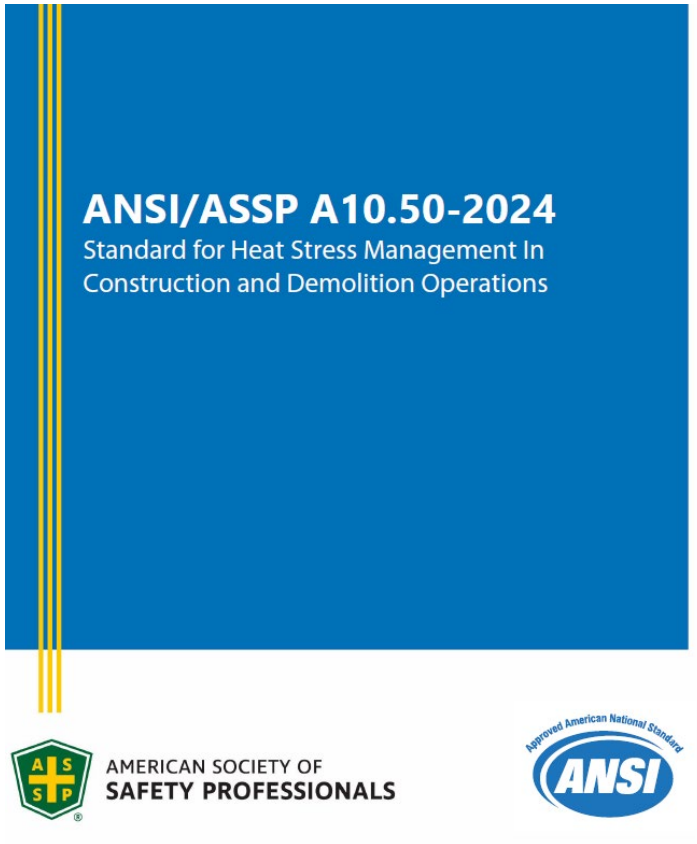
ACGIH — Understanding the worker's total heat exposure

- Uses a technical approach to assessing heat stress.
- Considers WBGT, workload, clothing, and acclimatization. Distinguishes guidance for acclimatized and unacclimatized workers.
- Offers a basis for examining how workplace conditions affect risk.



ANSI/ASSP A10.50 — Organizing a workplace prevention program

- Addresses heat stress in construction and demolition operations.
- Covers prevention practices, acclimatization, and training.
- Includes engineering and administrative controls.
- Provides checklists and flowcharts to support program development.



State Approaches

State	Prompted by State Legislation	Heat Illness Prevention Plan	Temperature Threshold	Heat Prevention Training	Heat Hazard Mitigation on Site	Job Hazard Analysis	Indoor and Outdoor
Nevada	Agency Initiative	✓	x	✓	✓	✓	x*
California	✓	✓	✓	✓	✓	x	✓
Maryland	Agency Initiative	✓	✓	✓	✓	x	✓
Washington	Rulemaking Petition	✓	✓	✓	✓	x	✓
Minnesota	Agency Initiative	x	✓	✓	✓	x	x**
Virginia	✓	x	✓	✓	✓	x	✓

*does not apply to indoor temperature-controlled environments

**only applies to indoor environments

-All the above address acclimatization

Maryland and Oregon design choices

- Both use heat index for indoor and outdoor application
- Maryland specifies high-heat monitoring and rest / cooling approaches
- Oregon offers alternative ways to establish a protective rest schedule
- Written procedures connect monitoring, acclimatization and response

California design choices

- Separate indoor and outdoor standards
- Outdoor shade and high-heat provisions use air temperature
- Indoor controls address temperature, heat index, radiant heat and clothing
- Specific exceptions and industry provisions affect comparison

➢ Discussion

- Have you worked under one of these state standards?
- Have you used any of the consensus standards/guidance to develop a heat illness prevention plan?
- For both scenarios, what helped workers and supervisors understand their responsibilities?
- For both scenarios, what implementation challenges should Virginia examine?

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Public Comment Period

- Use the ‘raise hand’ function to request to speak
- We will call speakers in the order the hands are received
- When called, we will bring you on screen and enable you to unmute yourself and share your comment
- Please limit remarks to 5 minutes

Written Comments

- Please share any written comments with us by submitting them to:

Cristin.Bernhardt@doli.virginia.gov

Agenda

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Next meetings

October 29, 2026 · 9:30 a.m.–1:00 p.m.

November 12, 2026 · 9:30 a.m.–1:00 p.m.

Thank you for your participation!