

Adams, Labor Leaders Introduce Heat Stress Legislation to Protect Workers



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Hello Sarah,

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WASHINGTON, D.C. (July 26, 2023) – Today, as temperatures around the world hit record highs, **Congresswoman Alma Adams (NC-12)** and **Ranking Member Robert C. “Bobby” Scott, House Committee on Education and the Workforce**, along with **Reps. Judy Chu (CA-28)** and **Raúl Grijalva (AZ-07)** introduced legislation to ensure the safety and health of workers who are exposed to dangerous heat conditions in the workplace. **Senators Sherrod Brown (D-OH)** and **Alex Padilla (D-CA)** introduced identical companion legislation in the Senate.

“The National Institute for Occupational Safety and Health (NIOSH) recommends a workplace safety standard ‘to protect the health of workers exposed to heat and hot environments.’ However, most states, including the State of North Carolina, have not taken action on this. A nationwide standard is vitally important to the health and safety of workers in my state and across the country,” **said Ranking Member Adams, House Subcommittee on Workforce Protections**. “OSHA must protect workers from the strain and potentially fatal effects of heat on the job.”

The [Asunción Valdivia Heat Illness, Injury and Fatality Prevention Act](#) is named in honor of Asunción Valdivia, who died in 2004 after picking grapes in California for ten hours straight in 105-degree temperatures. Mr. Valdivia fell unconscious and, instead of calling an ambulance, his employer told Mr. Valdivia's son to drive his father home. On his way home, he died of a preventable heat stroke at the age of 53. According to the Occupational Safety and Health Administration (OSHA), excessive heat officially caused the [deaths of 121 workers on the job](#) between 2017 and 2022—a likely undercount.

The bill would direct the Department of Labor’s (DOL’s) Occupational Safety and Health Administration (OSHA) to establish a permanent, federal standard to protect workers against occupational exposure to excessive heat, both in indoor and outdoor environments. The standard would include common-sense precautions, such as ensuring that workers who are in high heat environments have paid breaks in shaded or climate-controlled spaces, providing water for proper hydration, and requiring emergency response and transportation for workers incurring heat-related illness. While there is no current federal standard, these are requirements have been adopted by the State of California and have resulted in 30 percent fewer heat-related illnesses and injuries.

Despite the dangers of workplaces without climate control, states like Texas have rejected efforts to provide workers with protections, with Gov. Greg Abbott [signing a law last month](#) to override local ordinances that require water breaks from construction workers. In the absence of permanent federal protections, Reps. Scott, Chu, Casar, Grijalva, and Adams and Senators Sherrod Brown (OH), Alex Padilla (CA), Bernie Sanders (VT), and Catherine Cortez Masto (NV) [led 110 colleagues](#) in urging the Biden-Harris Administration to finalize an OSHA rule protecting workers.

“This summer, Americans across the country are grappling with some of the hottest temperatures on record. Yet workers in this country still have no legal protection against excessive heat—one of the oldest, most serious and most common workplace hazards. Heat illness affects workers in our nation’s fields, warehouses, and factories, and climate change is making the problem more severe every year,” **said Ranking Member Scott, House Committee on Education and the Workforce**. “This legislation will require OSHA to issue a heat standard on a much faster track than the normal OSHA regulatory process. I was proud to advance this important bill in the Education and Labor Committee last Congress, and I urge Chairwoman Foxx and Committee Republicans to do so again this Congress. Workers deserve nothing less, particularly as heat-related illnesses and deaths rise.”

“I will never forget Asunción Valdivia or how his tragic death could have been avoided,” **said Representative Chu**. “Whether on a farm, driving a truck, or working in a warehouse, workers like Asunción keep our country running while enduring some of the most difficult conditions—often without access to water or rest. The escalating climate crisis has led to sweltering temperatures and to a distressing increase in cases of workers collapsing and even losing their lives due to excessive heat. To value our workforce and protect people’s

safety and lives, this bill will establish comprehensive and enforceable federal standards addressing heat stress on the job.”

“There is no longer any ambiguity around human caused climate change – in Arizona and around the country, we are experiencing record shattering heat as a direct consequence. The climate crisis has made scorching temperatures, incidents of workers collapsing and deaths all too common. We must act now and decisively to protect people,” **said Ranking Member Grijalva, House Committee on Natural Resources.** “The Asunción Valdivia Heat Illness, Injury and Fatality Prevention Act is an urgent piece of legislation that requires much needed and basic labor protections, such as water and breaks, to safeguard indoor and outdoor workers from heat stress and extreme temperatures. I’m proud to join my colleagues to introduce this critical to build on President Biden’s executive order to address heat safety.”

“No worker should have to endure life-threatening heat to provide for their family. This would be an important step to protect Ohio workers on the job,” **said Senator Brown.** “We know too many workers still work in dangerous conditions, putting their health and safety on the line every day to provide for their families. There’s not much dignity in a job where you fear for your health or your life.”

“Asunción Valdivia tragically lost his life to heatstroke picking grapes in 105-degree heat under the Central Valley sun. Nearly 20 years later, millions of Americans are facing record-breaking extreme heat conditions that put the health and safety of our workers at risk,” **said Senator Padilla.** “This critical legislation will hold employers accountable and ensure enforceable workplace protections are put in place to prevent workers from falling ill, collapsing on the job, or even losing their lives.”

“Extreme heat exposure is deadly and too often puts our essential workers in dangerous environments,” **said Senator Cortez Masto.** “As we continue to experience record-high temperatures, it’s critical we pass this bill to protect our workers.”

“It’s long past time for meaningful legislation to protect Teamsters and other workers from the effects of prolonged heat exposure and dangerous heat levels while at work,” **said Sean M. O’Brien, Teamsters General President.** “Paid breaks in cool spaces, access to water, and limitations on time exposed to heat are simple common sense steps that should be mandated immediately. Waiting to implement these measures is unacceptable and will result in the further loss of lives.”

“UNITE HERE represents members in numerous workplaces exposed to dangerous heat levels. Environmental injustices like oppressively hot temperatures harms communities already facing enough injustices — like areas where our Union’s working class, immigrant, Black and Brown members hail, including the deep south and southwest,” **said Gwen Mills, Secretary Treasurer of UNITE HERE!** “Whether it’s driving a catering truck in direct sun to stock departing planes with food and water or toiling in front of commercial appliances at maximum hotness in hotel kitchens, workers in both primarily outdoor and indoor spaces face record highs. The Asunción Valdivia Heat Stress Injury, Illness, and Fatality Prevention Act is the kind of federal intervention required for protecting ourselves from an increasingly more alarming climate crisis. We commend elected leaders for leading the charge and urge the swift passage of this critical bill.”

The bill is endorsed by: United Farm Workers of America, United Farm Worker Foundation, Public Citizen, Farmworker Justice, AFL-CIO, American Public Health Association, Earthjustice, International Brotherhood of Teamsters, Migrant Clinicians Network, Migrant Legal Action Program, National Employment Law Project, Natural Resources Defense Council, SEIU, Sierra Club, Union of Concerned Scientists, UNITE HERE!, United Food & Commercial Workers International Union, Workers Defense Project, United Steelworkers (USW), Communication Workers of America, and the United Auto Workers, International Safety Equipment Association, United Bricklayers.

To read the bill text for the Asunción Valdivia Heat Illness, Injury, and Fatality Prevention Act of 2023, [click here](#).

To read the fact sheet on the Asunción Valdivia Heat Illness, Injury, and Fatality Prevention Act of 2023, [click here](#).

To read the section-by-section Asunción Valdivia Heat Illness, Injury, and Fatality Prevention Act of 2023, [click here](#).

Congresswoman Alma Adams represents North Carolina's 12th Congressional District (Charlotte, Mecklenburg County, Cabarrus County). She is a senior member of the House Committee on Education & the Workforce, where she serves as Ranking Member of the Workforce Protections Subcommittee.

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