
December 23, 2024

Stephen Schayer, PhD, CIH
Director, Office of Physical Hazards
OSHA Directorate of Standards and Guidance
200 Constitution Ave., NW
Washington, DC 20210

Docket No. OSHA-2021-0009

Dear Dr. Schayer,

Thank you for the opportunity to comment on the proposed rule on Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings (OSHA-2021-0009). We are researchers at the [Johns Hopkins Center for a Livable Future](#) (CLF), an interdisciplinary research center at the Johns Hopkins Bloomberg School of Public Health dedicated to advancing equitable, resilient, and sustainable food systems through science and systems-based approaches. Our 2021 report, [Essential and in Crisis: A Review of the Public Health Threats Facing Farmworkers in the U.S.](#), highlights the public health threats of agricultural workers' exposure to extreme heat, as well as other health risks they face on the job. **We commend OSHA for its efforts to establish a federal rule for heat injury and illness prevention in outdoor and indoor work settings and recommend OSHA finalize and implement this proposed rule swiftly.**

Workers in labor-intensive industries, such as agriculture, are particularly at risk of heat-related injuries, illnesses, and fatalities. It is estimated that workers in the agriculture, forestry, fishing, and hunting sectors are 35 times more likely to die from a heat-related illness when compared to workers across all sectors.¹ From 2011 to 2021, the average death toll from heat-related illnesses was approximately 43 workers per year.² The urgent need to address this issue is further amplified by the impacts of climate change. Climate models projecting future emissions and population trends suggest a significant increase in the frequency of extreme heat events this century. The number of days with a heat index exceeding 100°F could double or even triple by the middle of the century, posing elevated risks to millions of workers.

Several states have recognized the need for heat protection standards and implemented measures to protect workers from heat-related risks. Maryland, for example, recently established comprehensive heat stress standards that require employers to provide access to water, shade, and rest breaks, with specific protocol based on heat index thresholds.³ Moreover, Oregon, California, Colorado, Minnesota, Oregon and Washington have enacted similar occupational heat standards, including environmental and mandatory acclimation periods for workers.⁴

A federal standard is needed to ensure that basic protections do not stop at state borders. We also support the inclusion of critical measures including access to water, shade and rest, as well as worker training and acclimatization protocols. Multilingual education and enforcement mechanisms are vital to ensuring these protections reach workers. About 70% of U.S. farmworkers were born outside the U.S. (the majority originating from Mexico and Central American countries).⁵ In addition to language barriers, these workers often face

systemic barriers affecting their health and safety, such as a lack of health insurance. Preventing heat-related illnesses and deaths in the workers who produce our food is a moral imperative and also important to food systems resilience.

Thank you for the opportunity to provide this comment and for OSHA’s actions to protect the health and safety of workers in all sectors, including food and agriculture workers. We strongly encourage OSHA to quickly finalize and implement the heat standard rule.

Sincerely,
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¹ Gubernot DM, Anderson GB, Hunting KL. Characterizing occupational heat-related mortality in the United States, 2000-2010: An analysis using the census of fatal occupational injuries database. *American Journal of Industrial Medicine*. 2015; 58(2), 203-211. doi:10.1002/ajim.22381.

²Bustillo, X., & Hsu, A. (2023, July 10). It’s hot. For farmworkers without federal heat protections, it could be life or death. NPR. <https://www.npr.org/2023/07/10/1185766013/farm-workers-extreme-heat-protection-farmers-safety>

³Maryland Department of Labor. (n.d.). Heat Stress - MOSH. Heat Stress - Maryland Occupational Safety and Health (MOSH). <https://www.labor.maryland.gov/labor/mosh/moshheatstress.shtml>

⁴National Caucus of Environmental Legislators. (2023, November 13). State Action on Extreme Heat and Worker Protections. <https://www.nceleviro.org/articles/state-action-on-extreme-heat-and-worker-protections/>

⁵U.S. Department of Labor. Findings from the National Agricultural Workers Survey (NAWS) 2019–2020: A Demographic and Employment Profile of United States Farmworkers. Research Report No.16. <https://www.dol.gov/sites/dolgov/files/ETA/naws/pdfs/NAWS%20Research%20Report%2016.pdf>