

On May 22, 2025, Governor Hobbs signed <u>Executive Order 2025-09</u> directing the Industrial Commission of Arizona (ICA) and Arizona Division of Occupational Safety and Health (ADOSH) to form a Workplace Heat Safety Task Force to draft and recommend Heat Guidelines for Employers by December 31, 2025. The ICA will also create a recognition program for employers that go above and beyond basic requirements to support the safety, health, and welfare of their employees. The following addresses Frequently Asked Questions (FAQs) related to this policy, as of May 22, 2025:

# Why are Heat Guidelines necessary?

With Arizona's warm climate, mix of industries, and increasing temperatures, heat safety measures are essential to keeping Arizona workers safe. While heat is a recognized hazard by federal OSHA, there is no specific guidance or policy on how employers can keep workers safe from heat hazards. This creation of Heat Guidelines, as recommended by a Task Force representing stakeholders from a variety of industries and areas of expertise, aims to create clarity for employers in how to keep employees safe while also providing consistent guidance when ADOSH's Compliance Safety and Health Officers (CSHOs) are on worksites and responding to incidents.

# How is this different from the Heat Stress State Emphasis Program?

The <u>Heat Stress State Emphasis Program (SEP)</u> launched in July 2023 by ADOSH directed CSHOs to look for hazardous heat conditions during current inspections and add new programmed inspections on days with heat warning and advisory days in the local area in industries with historically high numbers or high incident rates of heat-related illnesses. Additionally, the SEP launched new outreach programs and data collection methods, all with the goal of protecting Arizona workers from heat-related hazards, injuries, and illness. Read the <u>Heat Stress SEP FAQ</u> for more.

The Heat Guidelines for Employers that will be produced by the new Task Force and considered by the Industrial Commission will help clarify what constitutes a heat hazard under the OSHA General Duty Clause, as interpreted and enforced by ADOSH CSHOs. In other words, the Guidelines will help fill in details of how employers can keep workers safe, beyond generally recommended controls of access to water, rest, acclimatization, and shade. Heat data from the SEP will help inform the Task Force's work and ultimate Guidelines as well.

## What does this announcement mean for my business? How can I stay informed?

The Executive Order does not immediately change existing guidance or requirements under the General Duty Clause. Businesses should continue addressing heat risks, in compliance and within the same requirements of the existing General Duty Clause. Through the SEP, ADOSH has and will continue recommending the provision of adequate water, rest, and shade, as well as training and acclimatization for employees. Businesses can contact ADOSH offices listed below and sign up to receive information and updates by email <u>here</u>.

Once the Task Force issues its recommendations and they are approved by the ICA, Guidelines will be made broadly available and distributed to businesses via ADOSH communication channels and posted on their website. The Guidelines will provide businesses with additional specificity for how ADOSH interprets the General Duty Clause and employers can keep employees safe from heat risk. The Guidelines will offer industry specific recommendations and practices that are proven effective to mitigate heat risk. These recommendations should be used to build a heat plan that is practical, effective, and specific to the heat risk each employer experiences. While the recommendations within the Guidelines do not represent a standard or rule, employers could be cited if workplace conditions are not sufficiently within the Guidelines and considered likely to cause death or serious physical harm.

### When will the Guidelines be available?

The Task Force is required by the Executive Order to deliver its recommendations for Employer Guidelines to the Industrial Commission by December 31, 2025. The Industrial Commission must then review and approve the Guidelines before they are implemented, pursuant to A.R.S. 23-410(A)(2). The Administration aims to have the Guidelines in place before next summer.

### How are ICA and ADOSH engaging employers throughout this process?

The Executive Order and Employer Guidelines build upon the ICA and ADOSH's ongoing employer engagement activities under the Heat Stress SEP and overall mission to work hand-in-glove with the business community to implement effective safety practices. In more than 467 free and voluntary consultations for employers since the Heat SEP's launch, ADOSH has found that many employers go above and beyond basic standards to ensure the safety and productivity of their employees.

The Governor's Executive Order directs the agency to create a new recognition program to highlight employers that maintain high standards in protecting their workers from heat risk and illness. Through the ICA's engagement, businesses have shared how implementing workplace safety efforts, especially related to heat, supports the recruitment and retention of talented employees and mitigates costs and risks to their businesses.

If your business is interested in a consultation or receiving other information or resources, you can reach out to the office contact information below. ICA and ADOSH are in contact with industry associations and present at many industry events.

### What does the Executive Order mean for this summer?

The Heat Stress SEP continues to be in place while the Task Force develops its recommendations. This means that CSHOs will continue to look for heat hazards while on worksites and ADOSH will continue to emphasize providing adequate water, rest, and shade, as well as training and acclimatization as ways to mitigate heat risk for employees.

### Where do I go with questions?

For additional questions or guidance please reach out to the Arizona Division of Occupational Safety and Health.

Phoenix Office: 800 W. Washington St. Phoenix, AZ 85007 Phone: (602) 542-5795

### **Tucson Office:**

2675 East Broadway Tucson, AZ 85716 Phone: (520) 628-5478

General Questions: comments@azdosh.gov