

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 25-0346.02 Kristen Forrestal x4217

HOUSE BILL 25-1286

HOUSE SPONSORSHIP

Velasco and Froelich, Bacon, Brown, Camacho, Clifford, Duran, Garcia, Gilchrist, Hamrick, Joseph, Lieder, Lindsay, Mabrey, Mauro, Rutinel, Story, Titone, Valdez, Willford, Woodrow

SENATE SPONSORSHIP

Weissman and Cutter,

House Committees
Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROTECTING WORKERS FROM EXPOSURE TO EXTREME**
102 **TEMPERATURES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires employers to implement protections for workers who are exposed to extreme hot and cold temperatures at the worksite, including temperature mitigation measures, rest breaks, and temperature-related injury and illness prevention plans.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 8-14.4-101
3 as follows:

4 **8-14.4-101. Definitions.** As used in this article 14.4, unless the
5 context otherwise requires:

6 (1) "ACCLIMATIZATION" MEANS THE BODY'S ADAPTATION TO
7 WORK IN THE HEAT OR COLD AS THE BODY IS EXPOSED TO HEAT OR COLD
8 GRADUALLY OVER TIME, WHICH REDUCES THE STRAIN CAUSED BY HEAT
9 STRESS OR COLD STRESS AND ENABLES AN INDIVIDUAL TO WORK WITH LESS
10 CHANCE OF HEAT ILLNESS OR COLD ILLNESS OR INJURY.

11 ~~(1)~~ (2) "Agricultural employment" has the meaning set forth in
12 section 8-13.5-201 (2).

13 (3) "COLD ILLNESS" MEANS A SERIOUS MEDICAL CONDITION
14 RESULTING FROM THE BODY'S INABILITY TO COPE WITH EXTREME COLD
15 STRESS THRESHOLDS.

16 ~~(1.5)~~ (4) "Department" means the department of labor and
17 employment.

18 ~~(2)~~ (5) "Division" means the division of labor standards and
19 statistics in the department.

20 (6) "EXTREME COLD TEMPERATURE TRIGGER" MEANS A
21 TEMPERATURE OF THIRTY DEGREES FAHRENHEIT.

22 (7) "HIGH HEAT TRIGGER" MEANS A TEMPERATURE OF NINETY
23 DEGREES FAHRENHEIT.

24 (8) "HUMIDITY" MEANS THE RATIO OF THE ACTUAL MOISTURE IN
25 THE AIR COMPARED TO THE MAXIMUM AMOUNT OF MOISTURE THE AIR CAN
26 HOLD AT A GIVEN TEMPERATURE, EXPRESSED AS A PERCENTAGE.

27 (9) "INCREASED RISK FACTOR" MEANS THAT THE INITIAL HIGH

1 HEAT TRIGGER HAS BEEN MET AND ONE OF THE FOLLOWING CONDITIONS
2 EXISTS:

3 (a) A DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AIR
4 QUALITY ADVISORY OR ACTION DAY IS IN EFFECT FOR THE STATE OR A
5 LOCALITY OR OTHER AREA THAT INCLUDES THE WORK AREA; EXCEPT
6 THAT, FOR ACTION DAYS BASED SOLELY ON OZONE, THE INCREASED RISK
7 CONDITION DOES NOT APPLY IF A PRINCIPAL SHOWS THAT THE AIR QUALITY
8 INDEX FOR THE PRINCIPAL'S WORK AREA IS RATED MODERATE OR GOOD,
9 WITH AN AIR QUALITY INDEX OF ONE HUNDRED OR LESS BASED ON:

10 (I) CURRENT OR FORECASTED AIR QUALITY INDEX OZONE DATA
11 FROM THE NATIONAL WEATHER SERVICE AIR QUALITY FORECAST
12 GUIDANCE; OR

13 (II) DATA FROM THE NEAREST AVAILABLE DEPARTMENT OF PUBLIC
14 HEALTH AND ENVIRONMENT MONITORING SITE, AS LONG AS IT IS WITHIN
15 FIFTY MILES OF THE WORK AREA;

16 (b) A WORKER IS SCHEDULED OR REASONABLY EXPECTED TO WORK
17 MORE THAN TWELVE HOURS IN THE WORKDAY OR SHIFT;

18 (c) THE PRINCIPAL OR THE SAFETY PROTOCOLS FOR EQUIPMENT OR
19 WORK REQUIRE THE WORKER TO WEAR VAPOR-IMPERMEABLE CLOTHING
20 OR PERSONAL PROTECTIVE EQUIPMENT, INCLUDING PROTECTIVE JACKETS,
21 SUITS, OR COVERALLS, THEREBY REQUIRING AN ADDITIONAL LAYER OVER
22 REGULAR CLOTHES OR COVERING ALL OR ALMOST ALL OF THE HEAD AND
23 FACE; OR

24 (d) THE HUMIDITY LEVEL IS ABOVE SIXTY-FIVE PERCENT.

25 (10) "INDOOR" OR "INDOORS" MEANS AN AREA UNDER A CEILING
26 OR OVERHEAD COVERING THAT RESTRICTS AIRFLOW AND HAS ALONG ITS
27 ENTIRE PERIMETER WALLS, DOORS, WINDOWS, DIVIDERS, OR OTHER

1 PHYSICAL BARRIERS THAT RESTRICT AIRFLOW, WHETHER OPEN OR CLOSED.

2 (11) "INITIAL COLD TRIGGER" MEANS A WIND CHILL FACTOR THAT
3 REACHES THIRTY DEGREES FAHRENHEIT WITH TWENTY-MILE-PER-HOUR
4 WINDS.

5 (12) "INITIAL HEAT TRIGGER" MEANS A HEAT INDEX OF EIGHTY
6 DEGREES FAHRENHEIT OR A WET BULB GLOBE TEMPERATURE THAT
7 REACHES THE NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND
8 HEALTH RECOMMENDED ALERT LIMIT.

9 (13) "OUTDOOR" OR "OUTDOORS" MEANS AN AREA THAT IS NOT
10 INDOORS.

11 (14) "PERSONAL PROTECTIVE EQUIPMENT" OR "PPE" MEANS
12 EQUIPMENT WORN TO PROTECT THE USER AGAINST TEMPERATURE INJURY
13 OR ILLNESS.

14 (15) "POTABLE WATER" MEANS DRINKABLE WATER SAFE FOR
15 HUMAN CONSUMPTION.

16 ~~(3)~~ (16) "Principal" means:

17 (a) An "employer" as set forth in the federal "Fair Labor Standards
18 Act of 1938", 29 U.S.C. sec. 203 (d);

19 (b) A foreign labor contractor and a migratory field labor
20 contractor or crew leader;

21 (c) The state of Colorado, local governments, and political
22 subdivisions of the state as defined in section 1-7.5-103 (6);

23 (d) An entity that contracts with five or more independent
24 contractors in the state each year; and

25 (e) A person or entity engaged in agricultural employment.

26 ~~(4)~~ (17) "Public health emergency" means:

27 (a) A public health order issued by a state or local public health

1 agency; or

2 (b) A disaster emergency declared by the governor based on a
3 public health concern.

4 (18) "RADIANT HEAT" MEANS HEAT TRANSFERRED BY
5 ELECTROMAGNETIC WAVES BETWEEN SURFACES, INCLUDING HEAT FROM
6 THE SUN, HOT OBJECTS, HOT LIQUIDS, HOT SURFACES, AND FIRE.

7 (19) "SHADE" MEANS THE BLOCKAGE OF DIRECT SUNLIGHT, SUCH
8 THAT OBJECTS DO NOT CAST A SHADOW IN THE AREA OF BLOCKED
9 SUNLIGHT.

10 (20) "SIGNS AND SYMPTOMS OF A COLD EMERGENCY" MEANS THE
11 PHYSIOLOGICAL MANIFESTATION OF A COLD ILLNESS THAT:

12 (a) REQUIRES AN EMERGENCY RESPONSE;

13 (b) INCLUDES HYPOTHERMIA, WHEN THE INTERNAL BODY
14 TEMPERATURE DROPS BELOW NINETY-FIVE DEGREES; DROWSINESS; AND
15 LOSS OF CONSCIOUSNESS; AND

16 (c) MAY OR MAY NOT BE ACCOMPANIED BY FROSTBITE OR TRENCH
17 FOOT.

18 (21) "SIGNS AND SYMPTOMS OF A HEAT EMERGENCY" MEANS THE
19 PHYSIOLOGICAL MANIFESTATION OF A HEAT-RELATED ILLNESS THAT:

20 (a) REQUIRES AN EMERGENCY RESPONSE;

21 (b) MAY INCLUDE LOSS OF CONSCIOUSNESS AND EXCESSIVE BODY
22 TEMPERATURE; AND

23 (c) MAY OR MAY NOT BE ACCOMPANIED BY VERTIGO, NAUSEA,
24 HEADACHE, CEREBRAL DYSFUNCTION, OR BIZARRE BEHAVIOR, INCLUDING
25 STAGGERING, VOMITING, ACTING IRRATIONALLY OR DISORIENTED, HAVING
26 CONVULSIONS, AND HAVING AN ELEVATED HEART RATE.

27 (22) "SIGNS AND SYMPTOMS OF COLD ILLNESS" MEANS THE

1 PHYSIOLOGICAL MANIFESTATIONS OF A COLD ILLNESS, INCLUDING
2 NUMBNESS, THE FEELING OF PINS AND NEEDLES, BLUE AND BLOTCHY SKIN,
3 ACHES, FATIGUE, CONFUSION, DISORIENTATION, EXCESSIVE SHIVERING,
4 AND LOSS OF COORDINATION.

5 (23) "SIGNS AND SYMPTOMS OF HEAT-RELATED ILLNESS" MEANS
6 THE PHYSIOLOGICAL MANIFESTATIONS OF A HEAT-RELATED ILLNESS,
7 INCLUDING HEADACHE, NAUSEA, WEAKNESS, DIZZINESS, ELEVATED BODY
8 TEMPERATURE, MUSCLE CRAMPS, AND MUSCLE PAIN OR SPASMS.

9 (24) "TELEWORK" MEANS WORK DONE FROM HOME OR ANOTHER
10 REMOTE LOCATION OF A WORKER'S CHOOSING.

11 (25) "TRIIPP" OR "TEMPERATURE-RELATED INJURY AND ILLNESS
12 PREVENTION PLAN" MEANS THE WORKSITE TEMPERATURE-RELATED INJURY
13 AND ILLNESS PLAN REQUIRED BY SECTION 8-14.4-101.5 (6).

14 (26) "VAPOR-IMPERMEABLE CLOTHING" MEANS FULL-BODY
15 CLOTHING THAT SIGNIFICANTLY INHIBITS OR COMPLETELY PREVENTS
16 SWEAT PRODUCED BY THE BODY FROM EVAPORATING INTO THE OUTSIDE
17 AIR, INCLUDING ENCAPSULATING SUITS, VARIOUS FORMS OF CHEMICAL
18 RESISTANT SUITS, AND OTHER FORMS OF NONBREATHABLE PPE.

19 (27) "VEHICLE" MEANS A CAR, A TRUCK, A VAN, OR OTHER
20 MOTORIZED MEANS OF TRANSPORTING PEOPLE OR GOODS.

21 (28) "WIND CHILL FACTOR" MEANS THE MEASURE OF HOW COLD
22 THE AIR FEELS ON HUMAN SKIN DUE TO THE WIND AND TEMPERATURE
23 BASED ON HOW QUICKLY THE BODY LOSES HEAT TO THE AIR.

24 (29) "WORK AREA" MEANS AN AREA WHERE ONE OR MORE
25 WORKERS ARE WORKING WITHIN A WORKSITE.

26 ~~(5)~~ (30) "Worker" means:

27 (a) An employee as defined in section 8-4-101 (5); or

1 (b) ~~A person~~ AN INDIVIDUAL who works for an entity that
2 contracts with five or more independent contractors in the state each year.

3 (31) "WORKSITE" MEANS A PHYSICAL LOCATION WHERE THE
4 PRINCIPAL'S WORK OR OPERATIONS ARE PERFORMED.

5 **SECTION 2.** In Colorado Revised Statutes, **add** 8-14.4-101.5 as
6 follows:

7 **8-14.4-101.5. Worker protection - extreme temperatures -**
8 **control required - exceptions - temperature-related injury and illness**
9 **prevention plan - rules. (1) Scope and application.** EXCEPT AS

10 OTHERWISE PROVIDED IN THIS SUBSECTION (1), THIS SECTION APPLIES TO
11 ALL PRINCIPALS. THE REQUIREMENTS OF THIS SECTION DO NOT APPLY TO:

12 (a) WORK ACTIVITIES FOR WHICH THERE IS NO REASONABLE
13 EXPECTATION OF EXPOSURE AT OR ABOVE THE INITIAL HEAT TRIGGER OR
14 AT OR BELOW THE INITIAL COLD TRIGGER;

15 (b) SHORT DURATION WORKER EXPOSURES AT OR ABOVE THE
16 INITIAL HEAT TRIGGER OR AT OR BELOW THE INITIAL COLD TRIGGER OF
17 FIFTEEN MINUTES OR LESS IN ANY SIXTY-MINUTE PERIOD;

18 (c) TELEWORK;

19 (d) ORGANIZATIONS WHOSE PRIMARY FUNCTION IS THE
20 PERFORMANCE OF FIREFIGHTING, EMERGENCY RESPONSE ACTIVITIES OF
21 WORKPLACE EMERGENCY RESPONSE TEAMS, EMERGENCY MEDICAL
22 SERVICES, OR TECHNICAL SEARCH AND RESCUE OR ANY OTHER
23 EMERGENCY RESPONSE ACTIVITIES DEFINED BY THE DIVISION IN RULE; OR

24 (e) WORKERS COVERED BY A BONA FIDE COLLECTIVE BARGAINING
25 AGREEMENT, IF THE COLLECTIVE BARGAINING AGREEMENT PROVIDES FOR
26 EQUIVALENT OR MORE GENEROUS EXTREME TEMPERATURE PROTECTIONS
27 FOR WORKERS COVERED BY THE COLLECTIVE BARGAINING AGREEMENT.

1 **(2) Requirements related to identification of temperature**

2 **hazards.** (a) (I) A PRINCIPAL SHALL MONITOR TEMPERATURE AND
3 HUMIDITY CONDITIONS AT OUTDOOR WORK AREAS:

4 (A) BY TRACKING LOCAL FORECASTS PROVIDED BY THE NATIONAL
5 WEATHER SERVICE OR OTHER REPUTABLE SOURCES; OR

6 (B) AT OR AS CLOSE AS POSSIBLE TO THE WORK AREA, TO MEASURE
7 THE TEMPERATURE AND HUMIDITY LEVEL.

8 (II) A PRINCIPAL SHALL MONITOR OUTDOOR TEMPERATURES WITH
9 SUFFICIENT FREQUENCY TO DETERMINE WITH REASONABLE ACCURACY
10 WORKERS' EXPOSURE TO HEAT AND COLD AND AT LEAST ONCE PER DAY.

11 (b) (I) AT INDOOR WORKSITES, A PRINCIPAL SHALL IDENTIFY EACH
12 WORK AREA WHERE THERE IS A REASONABLE EXPECTATION THAT
13 WORKERS ARE OR MAY BE EXPOSED TO HEAT AT OR ABOVE THE INITIAL
14 HEAT TRIGGER OR COLD AT OR BELOW THE EXTREME COLD TEMPERATURE
15 TRIGGER.

16 (II) AT EACH INDOOR WORKSITE IDENTIFIED AS A LOCATION WHERE
17 WORKERS ARE OR MAY BE EXPOSED TO HEAT AT OR ABOVE THE INITIAL
18 HEAT TRIGGER, A PRINCIPAL MUST PROVIDE:

19 (A) INCREASED AIR MOVEMENT, SUCH AS FANS OR COMPARABLE
20 NATURAL VENTILATION, AND, IF APPROPRIATE, DEHUMIDIFICATION. IF
21 USING FANS AT AMBIENT TEMPERATURES ABOVE ONE HUNDRED TWO
22 DEGREES FAHRENHEIT, THE PRINCIPAL SHALL EVALUATE THE HUMIDITY TO
23 DETERMINE IF FAN USE IS HARMFUL, AND IF THE PRINCIPAL DETERMINES
24 THAT IT IS HARMFUL, THE PRINCIPAL MUST DISCONTINUE FAN USE.

25 (B) AN AIR-CONDITIONED WORK AREA; OR

26 (C) IN CASES OF RADIANT HEAT SOURCES, OTHER MEASURES THAT
27 EFFECTIVELY REDUCE WORKER EXPOSURE TO RADIANT HEAT IN THE WORK

1 AREA, INCLUDING SHIELDS, BARRIERS, OR ISOLATING HEAT SOURCES.

2 (c) A PRINCIPAL SHALL DEVELOP AND IMPLEMENT A MONITORING
3 PLAN COVERING EACH WORK AREA IDENTIFIED PURSUANT TO SUBSECTION
4 (2)(b)(I) OF THIS SECTION TO DETERMINE WHEN WORKERS ARE EXPOSED
5 TO HEAT AT OR ABOVE THE INITIAL AND HIGH HEAT TRIGGERS AND WHEN
6 WORKERS ARE EXPOSED TO COLD AT OR BELOW THE EXTREME COLD
7 TEMPERATURE TRIGGER.

8 (d) A PRINCIPAL SHALL INCLUDE THE MONITORING PLAN
9 DESCRIBED IN SUBSECTION (2)(c) OF THIS SECTION IN THE
10 TEMPERATURE-RELATED INJURY AND ILLNESS PREVENTION PLAN. THE
11 MONITORING PLAN MUST INCLUDE THE TEMPERATURE AND HUMIDITY AT
12 OR AS CLOSE AS POSSIBLE TO THE WORK AREA.

13 (e) WHEN THERE IS A CHANGE IN PRODUCTION, PROCESSES,
14 EQUIPMENT, OR CONTROLS OR A SUBSTANTIAL INCREASE OR DECREASE IN
15 OUTDOOR TEMPERATURE THAT HAS THE POTENTIAL TO INCREASE HEAT OR
16 COLD EXPOSURE INDOORS, A PRINCIPAL SHALL EVALUATE AN AFFECTED
17 WORK AREA TO IDENTIFY WHERE THERE IS REASONABLE EXPECTATION
18 THAT WORKERS ARE OR MAY BE EXPOSED TO HEAT AT OR ABOVE THE
19 INITIAL HEAT TRIGGER OR TO COLD AT OR BELOW THE EXTREME COLD
20 TEMPERATURE TRIGGER. THE PRINCIPAL MUST UPDATE THE MONITORING
21 PLAN IN THE PRINCIPAL'S TRIIPP TO ACCOUNT FOR ANY INCREASES IN
22 HEAT OR COLD EXPOSURE.

23 (f) A PRINCIPAL SHALL SEEK THE INPUT AND INVOLVEMENT OF
24 NONMANAGERIAL WORKERS AND THEIR REPRESENTATIVES, IF ANY, WHEN
25 EVALUATING THE WORKSITE TO IDENTIFY WORK AREAS WITH A
26 REASONABLE EXPECTATION OF EXPOSURES AT OR ABOVE THE INITIAL HEAT
27 TRIGGER OR AT OR BELOW THE EXTREME COLD TEMPERATURE TRIGGER

1 AND IN DEVELOPING AND UPDATING MONITORING PLANS.

2 (g) (I) A PRINCIPAL MAY ASSUME THAT THE TEMPERATURE AT A
3 WORK AREA IS AT OR ABOVE BOTH THE INITIAL HEAT AND HIGH HEAT
4 TRIGGERS INSTEAD OF CONDUCTING ON-SITE MEASUREMENTS OR
5 TRACKING LOCAL FORECASTS. IN SUCH CASES, THE PRINCIPAL SHALL
6 COMPLY WITH ALL REQUIREMENTS IN THIS SECTION CONCERNING
7 REQUIREMENTS THAT APPLY TO WORK AREAS THAT ARE AT OR ABOVE THE
8 HIGH HEAT TRIGGER.

9 (II) A PRINCIPAL MAY ASSUME THAT THE TEMPERATURE IN THE
10 WORK AREA IS AT OR BELOW THE EXTREME COLD TEMPERATURE TRIGGER
11 INSTEAD OF CONDUCTING ON-SITE MEASUREMENTS OR TRACKING LOCAL
12 FORECASTS. IN SUCH CASES, THE PRINCIPAL SHALL COMPLY WITH ALL
13 REQUIREMENTS IN THIS SECTION CONCERNING REQUIREMENTS THAT APPLY
14 TO WORK AREAS THAT ARE AT OR BELOW THE EXTREME COLD
15 TEMPERATURE TRIGGER.

16 (h) IF A PRINCIPAL CONDUCTS ON-SITE TEMPERATURE
17 MEASUREMENTS, THE PRINCIPAL SHALL RECORD AND RETAIN WRITTEN OR
18 ELECTRONIC RECORDS OF THE MEASUREMENTS FOR AT LEAST SIX MONTHS.

19 (3) **Requirements at or above the initial heat trigger.**

20 (a) WHEN A WORKER IS EXPOSED TO HEAT AT OR ABOVE THE INITIAL HEAT
21 TRIGGER, A PRINCIPAL SHALL PROVIDE ACCESS TO A SHADED OR
22 AIR-CONDITIONED AREA FOR THE WORKER TO USE DURING REST, MEAL,
23 COOL-DOWN, AND OTHER BREAKS. THE AREA MUST BE LOCATED AS CLOSE
24 AS PRACTICABLE TO THE WORKSITE AND MUST:

25 (I) BE FREE OF ANY SOURCE THAT YIELDS ADDITIONAL HEAT, SUCH
26 AS EXHAUST, RUNNING MACHINERY, HEAT-RADIATING STRUCTURES, OR
27 HEAT IN A NON-AIR-CONDITIONED VEHICLE;

1 (II) BE LOCATED AS CLOSE AS PRACTICABLE TO THE WORK AREA,
2 LOCATED NO FURTHER THAN ONE-FOURTH OF ONE MILE FROM THE
3 WORKSITE FOR WORKERS ACCESSING THE AREA BY FOOT OR OTHERWISE
4 CLOSE ENOUGH TO ALLOW REASONABLE ACCESS DURING REST AND MEAL
5 PERIODS AND OTHER BREAKS;

6 (III) BE LARGE ENOUGH TO ACCOMMODATE THE NUMBER OF
7 WORKERS TAKING REST BREAKS AT ANY GIVEN TIME AND ALLOW THEM TO
8 SIT FULLY SHADED OR COOLED IN A NORMAL POSTURE, WITHOUT
9 TOUCHING ONE ANOTHER;

10 (IV) BE FREE OF UNSAFE, UNHEALTHY, UNSANITARY, OR OTHER
11 CONDITIONS, SUCH AS NOXIOUS ODOR FROM ROT OR GARBAGE, THAT
12 DETER OR DISCOURAGE ACCESSING OR USING THE AREA; AND

13 (V) IF INDOORS, PROVIDE EITHER AIR CONDITIONING OR
14 ADDITIONAL AIR MOVEMENT, SUCH AS FANS OR COMPARABLE NATURAL
15 VENTILATION, AND, IF APPROPRIATE, DEHUMIDIFICATION.

16 (b) A PRINCIPAL SHALL PROVIDE EACH WORKER WITH POTABLE
17 WATER AND THE OPPORTUNITY TO DRINK IT. THE PRINCIPAL SHALL:

18 (I) PROVIDE AT LEAST THIRTY-TWO OUNCES OF WATER PER HOUR
19 PER WORKER, KEPT AT SIXTY DEGREES FAHRENHEIT OR COOLER;

20 (II) PROVIDE WATER THAT IS FROM A SANITARY SOURCE, WHETHER
21 A FOUNTAIN, TAP, OR INDIVIDUAL CUP OR CONTAINER, WITH WORKERS
22 PERMITTED TIME TO DRINK WATER AND USE RESTROOMS DURING SHIFTS AS
23 NEEDED; AND

24 (III) LOCATE THE WATER AS CLOSE AS PRACTICABLE TO THE WORK
25 AREA, NO FURTHER THAN ONE-FOURTH OF ONE MILE FROM THE WORKSITE
26 FOR WORKERS ACCESSING THE WATER SOURCE BY FOOT, AND CLOSE
27 ENOUGH TO ALLOW REASONABLE ACCESS BY WORKERS.

1 (c) (I) A PRINCIPAL SHALL:

2 (A) ALLOW A WORKER TO TAKE A PAID COOL-DOWN BREAK ANY
3 TIME THE WORKER FEELS A NEED TO PREVENT OVERHEATING; AND

4 (B) ENCOURAGE WORKERS TO DRINK WATER AND USE THE
5 RESTROOM AS NEEDED.

6 (II) A PREVENTIVE BREAK AS DESCRIBED IN SUBSECTION (3)(c)(I)
7 OF THIS SECTION MUST NOT AFFECT JOB QUOTAS. A PRINCIPAL SHALL
8 ADJUST JOB QUOTAS TO ACCOMMODATE PREVENTIVE BREAKS.

9 (d) FOR EACH WORKER DURING THE WORKER'S FIRST WEEK ON THE
10 JOB OR THE FIRST WEEK BACK FROM MORE THAN FOURTEEN DAYS AWAY
11 FROM THE JOB, A PRINCIPAL SHALL IMPLEMENT:

12 (I) (A) A PLAN THAT, AT MINIMUM, INCORPORATES ALL
13 REQUIREMENTS AT OR ABOVE THE HIGH HEAT TRIGGER WHEN THE HEAT
14 INDEX IS AT OR ABOVE THE INITIAL HEAT TRIGGER DURING THE WORKER'S
15 FIRST WEEK OF WORK; OR

16 (B) GRADUAL ACCLIMATIZATION TO HEAT IN WHICH THE WORKER'S
17 EXPOSURE TO HEAT IS RESTRICTED TO NO MORE THAN TWENTY PERCENT
18 OF A NORMAL WORK SHIFT EXPOSURE DURATION ON THE FIRST DAY OF
19 WORK, FORTY PERCENT ON THE SECOND DAY OF WORK, SIXTY PERCENT ON
20 THE THIRD DAY OF WORK, AND EIGHTY PERCENT ON THE FOURTH DAY OF
21 WORK; AND

22 (II) AT LEAST ONE OF THE FOLLOWING METHODS OF OBSERVING
23 THE NEW OR RETURNING WORKER FOR SIGNS AND SYMPTOMS OF
24 HEAT-RELATED ILLNESS:

25 (A) A MANDATORY BUDDY SYSTEM IN WHICH COWORKERS
26 OBSERVE EACH OTHER;

27 (B) OBSERVATION BY A SUPERVISOR OR TEMPERATURE SAFETY

1 COORDINATOR, WITH NO MORE THAN TEN WORKERS OBSERVED PER
2 SUPERVISOR OR TEMPERATURE SAFETY COORDINATOR; OR

3 (C) FOR A WORKER WHO IS ALONE AT THE WORKSITE, THE
4 PRINCIPAL SHALL MAINTAIN A MEANS OF EFFECTIVE, TWO-WAY
5 COMMUNICATION WITH THE WORKER AND MAKE CONTACT WITH THE
6 WORKER AT LEAST EVERY TWO HOURS.

7 (e) A PRINCIPAL SHALL MAINTAIN A MEANS OF EFFECTIVE,
8 TWO-WAY COMMUNICATION WITH WORKERS AND ENSURE REGULAR
9 COMMUNICATION WITH WORKERS.

10 (f) IF A PRINCIPAL PROVIDES WORKERS WITH COOLING PPE, THE
11 PRINCIPAL MUST ENSURE THE COOLING PROPERTIES OF THE PPE ARE
12 MAINTAINED AT ALL TIMES DURING USE.

13 (4) **Requirements at or above the high heat trigger or in**
14 **increased risk conditions.** IN ADDITION TO THE CONTROLS REQUIRED AT
15 OR ABOVE THE INITIAL HEAT TRIGGER, A PRINCIPAL SHALL IMPLEMENT THE
16 FOLLOWING CONTROLS WHEN WORKERS ARE EXPOSED TO HEAT AT OR
17 ABOVE THE HIGH HEAT TRIGGER:

18 (a) (I) A PRINCIPAL SHALL PROVIDE WORKERS WITH A MINIMUM
19 FIFTEEN-MINUTE PAID REST BREAK AT LEAST EVERY TWO HOURS;

20 (II) A PRINCIPAL MAY COUNT A MEAL BREAK AS A REST BREAK,
21 EVEN IF IT IS NOT OTHERWISE REQUIRED BY LAW TO BE PAID;

22 (III) A PRINCIPAL SHALL NOT COUNT A PERIOD DURING WHICH A
23 WORKER IS PUTTING ON AND REMOVING PERSONAL PROTECTIVE
24 EQUIPMENT TOWARD THE TOTAL TIME PROVIDED FOR REST BREAKS; AND

25 (IV) A PRINCIPAL SHALL NOT INCLUDE THE TIME FOR WORKERS TO
26 WALK TO AND FROM THE BREAK AREA IN THE TIME PROVIDED FOR REST
27 BREAKS;

1 (b) A PRINCIPAL SHALL IMPLEMENT AT LEAST ONE OF THE
2 FOLLOWING METHODS OF OBSERVING WORKERS FOR SIGNS AND SYMPTOMS
3 OF HEAT-RELATED ILLNESS:

4 (I) A MANDATORY BUDDY SYSTEM IN WHICH COWORKERS OBSERVE
5 EACH OTHER;

6 (II) OBSERVATION BY A SUPERVISOR OR TEMPERATURE SAFETY
7 COORDINATOR, WITH NO MORE THAN TWENTY WORKERS OBSERVED PER
8 SUPERVISOR OR TEMPERATURE SAFETY COORDINATOR; OR

9 (III) FOR A WORKER WHO IS ALONE AT A WORKSITE, THE PRINCIPAL
10 SHALL MAINTAIN A MEANS OF EFFECTIVE, TWO-WAY COMMUNICATION
11 WITH THE WORKER AND MAKE CONTACT WITH THE WORKER AT LEAST
12 EVERY TWO HOURS;

13 (c) BEFORE A WORK SHIFT OR UPON DETERMINING THE HIGH HEAT
14 TRIGGER IS MET OR EXCEEDED, A PRINCIPAL SHALL NOTIFY WORKERS OF
15 THE FOLLOWING:

16 (I) THE IMPORTANCE OF DRINKING PLENTY OF WATER;

17 (II) A WORKER'S RIGHT TO TAKE REST BREAKS;

18 (III) HOW TO SEEK HELP AND THE PROCEDURES TO TAKE IN A HEAT
19 EMERGENCY; AND

20 (IV) FOR MOBILE WORKSITES, THE LOCATION OF THE BREAK AREA,
21 THE RESTROOMS, AND DRINKING WATER; AND

22 (d) A PRINCIPAL SHALL PLACE WARNING SIGNS AT INDOOR WORK
23 AREAS WITH AMBIENT TEMPERATURES THAT REGULARLY EXCEED ONE
24 HUNDRED DEGREES FAHRENHEIT. THE WARNING SIGNS MUST BE LEGIBLE,
25 VISIBLE, IN PLAIN LANGUAGE, AND IN A LANGUAGE EACH WORKER,
26 SUPERVISOR, AND TEMPERATURE SAFETY COORDINATOR UNDERSTANDS.

27 (5) **Requirements at or below the extreme cold temperature**

1 **trigger. (a)** WHEN A WORKER IS EXPOSED TO COLD AT OR BELOW THE
2 EXTREME COLD TEMPERATURE TRIGGER, A PRINCIPAL SHALL IMPLEMENT
3 AT LEAST ONE OF THE FOLLOWING METHODS OF OBSERVING WORKERS FOR
4 SIGNS AND SYMPTOMS OF COLD ILLNESS:

5 (I) A MANDATORY BUDDY SYSTEM IN WHICH COWORKERS OBSERVE
6 EACH OTHER;

7 (II) OBSERVATION BY A SUPERVISOR OR TEMPERATURE SAFETY
8 COORDINATOR, WITH NO MORE THAN TWENTY WORKERS OBSERVED PER
9 SUPERVISOR OR TEMPERATURE SAFETY COORDINATOR; OR

10 (III) FOR A WORKER WHO IS ALONE AT THE WORKSITE, THE
11 PRINCIPAL SHALL MAINTAIN A MEANS OF EFFECTIVE, TWO-WAY
12 COMMUNICATION WITH THE WORKER AND MAKE CONTACT WITH THE
13 WORKER AT LEAST EVERY TWO HOURS.

14 (b) A PRINCIPAL MUST PROVIDE ACCESS TO WARMTH AS FOLLOWS:

15 (I) (A) A HEATED INDOOR AREA SHALL BE MADE AVAILABLE TO
16 WORKERS AS CLOSE AS PRACTICABLE TO THE WORK AREA AND NO
17 FURTHER THAN ONE-FOURTH OF ONE MILE FROM THE WORKSITE FOR
18 WORKERS ACCESSING THE AREA BY FOOT OR OTHERWISE CLOSE ENOUGH
19 TO ALLOW REASONABLE ACCESS DURING REST AND MEAL PERIODS AND
20 OTHER BREAKS; AND

21 (B) THE HEATED INDOOR AREA MUST BE AT LEAST LARGE ENOUGH
22 TO ACCOMMODATE THE NUMBER OF WORKERS TAKING REST BREAKS AT
23 ANY GIVEN TIME AND ALLOW THEM TO SIT IN A NORMAL POSTURE
24 WITHOUT TOUCHING ONE ANOTHER; OR

25 (II) WHERE A PRINCIPAL CAN DEMONSTRATE THAT IT IS INFEASIBLE
26 OR UNSAFE TO HAVE A HEATED INDOOR AREA, OR OTHERWISE TO HAVE A
27 HEATED AREA AVAILABLE ON A CONTINUOUS BASIS, THE PRINCIPAL MAY

1 UTILIZE ALTERNATIVE PROCEDURES FOR PROVIDING ACCESS TO WARMTH
2 IF THE ALTERNATIVE PROCEDURES PROVIDE EQUIVALENT PROTECTION.

3 (c) A PRINCIPAL SHALL PROVIDE THE NECESSARY PROTECTIVE
4 EQUIPMENT, GEAR, AND UNIFORMS TO WITHSTAND TEMPERATURES AT OR
5 BELOW THE EXTREME COLD TEMPERATURE TRIGGER TO THE EXTENT
6 PRACTICABLE.

7 (d) A WORKER WHO SPENDS MORE THAN SIXTY MINUTES AT A
8 WORKSITE OR IN A PRINCIPAL-PROVIDED VEHICLE EACH DAY OR WHOSE
9 WORKSITE IS CONSIDERED A PRINCIPAL-PROVIDED VEHICLE MUST HAVE AN
10 ADEQUATE HEATING SYSTEM AVAILABLE AT THE WORKSITE OR INSIDE THE
11 VEHICLE.

12 (e) A PRINCIPAL SHALL PROVIDE ACCESS TO POTABLE WATER FOR
13 DRINKING THAT IS:

14 (I) PLACED IN A LOCATION READILY ACCESSIBLE TO THE WORKER;

15 (II) SUITABLY COOL, BUT NOT FROZEN; AND

16 (III) OF SUFFICIENT QUANTITY TO PROVIDE ACCESS TO
17 THIRTY-TWO OUNCES OF DRINKING WATER PER WORKER PER HOUR.

18 (f) (I) A PRINCIPAL SHALL ALLOW AND ENCOURAGE EACH WORKER
19 TO TAKE A TEN-MINUTE PAID PREVENTIVE WARM-UP BREAK EVERY TWO
20 HOURS AND AT ANY TIME THE WORKER FEELS THE ONSET OF COLD ILLNESS.

21 THE PREVENTIVE BREAKS MAY INCLUDE ACCESS TO WARMTH. A WORKER
22 WHO TAKES A PREVENTIVE BREAK SHALL:

23 (A) BE MONITORED AND ASKED IF THEY ARE EXPERIENCING SIGNS
24 AND SYMPTOMS OF COLD ILLNESS;

25 (B) BE ENCOURAGED TO REMAIN IN THE WARMTH; AND

26 (C) NOT BE ORDERED BACK TO WORK UNTIL ANY SIGNS OR
27 SYMPTOMS OF COLD ILLNESS HAVE ABATED, BUT THE WORKER MUST NOT

1 BE ORDERED BACK WITHIN LESS THAN FIVE MINUTES, IN ADDITION TO THE
2 TIME NEEDED TO ACCESS WARMTH WHERE APPLICABLE;

3 (II) A PRINCIPAL MAY COUNT A MEAL BREAK AS A REST BREAK,
4 EVEN IF IT IS NOT OTHERWISE REQUIRED BY LAW TO BE PAID;

5 (III) A PRINCIPAL SHALL NOT COUNT A PERIOD DURING WHICH A
6 WORKER IS PUTTING ON AND REMOVING PERSONAL PROTECTIVE
7 EQUIPMENT TOWARD THE TOTAL TIME PROVIDED FOR REST BREAKS;

8 (IV) A PRINCIPAL SHALL NOT INCLUDE THE TIME FOR WORKERS TO
9 WALK TO AND FROM THE BREAK AREA IN THE TIME PROVIDED FOR REST
10 BREAKS; AND

11 (V) A PREVENTIVE BREAK MUST NOT AFFECT JOB QUOTAS. A
12 PRINCIPAL SHALL ADJUST JOB QUOTAS TO ACCOMMODATE FOR PREVENTIVE
13 BREAKS.

14 (6) **Temperature-related injury and illness prevention plan.**

15 (a) A PRINCIPAL SHALL DEVELOP AND IMPLEMENT A WORKSITE
16 TEMPERATURE-RELATED INJURY AND ILLNESS PREVENTION PLAN WITH
17 SITE-SPECIFIC INFORMATION.

18 (b) A TRIIPP MUST INCLUDE:

19 (I) A COMPREHENSIVE LIST OF THE TYPE OF WORK ACTIVITIES
20 COVERED BY THE TRIIPP;

21 (II) THE POLICIES AND PROCEDURES NECESSARY TO COMPLY WITH
22 THE REQUIREMENTS OF THIS SECTION; AND

23 (III) AN IDENTIFICATION OF THE TEMPERATURE METRIC AND THE
24 INCREASED RISK FACTORS THAT THE PRINCIPAL WILL MONITOR TO COMPLY
25 WITH THE HEAT AND COLD SAFETY REQUIREMENTS OF THIS SECTION.

26 (c) IF A PRINCIPAL EMPLOYS A WORKER WHO WEARS
27 VAPOR-IMPERMEABLE CLOTHING, THE PRINCIPAL SHALL EVALUATE HEAT

1 STRESS HAZARDS RESULTING FROM THE CLOTHING AND IMPLEMENT
2 POLICIES AND PROCEDURES BASED ON REPUTABLE SOURCES TO PROTECT
3 WORKERS WHILE WEARING THIS CLOTHING. THE PRINCIPAL SHALL INCLUDE
4 THE POLICIES AND PROCEDURES AND DOCUMENTATION OF THE
5 EVALUATION IN THE TRIIPP.

6 (d) IF A PRINCIPAL EMPLOYS MORE THAN TEN WORKERS, A TRIIPP
7 MUST BE IN WRITING.

8 (e) A PRINCIPAL WITH MORE THAN TEN WORKERS SHALL
9 DESIGNATE ONE OR MORE TEMPERATURE SAFETY COORDINATORS TO
10 IMPLEMENT AND MONITOR A TRIIPP. THE NAME OF THE TEMPERATURE
11 SAFETY COORDINATOR MUST BE DOCUMENTED IN A WRITTEN TRIIPP. THE
12 TEMPERATURE SAFETY COORDINATOR MAY ENSURE COMPLIANCE WITH ALL
13 ASPECTS OF THE TRIIPP.

14 (f) A PRINCIPAL SHALL SEEK THE INPUT AND INVOLVEMENT OF
15 NONMANAGERIAL WORKERS AND THEIR REPRESENTATIVES, IF ANY, IN THE
16 DEVELOPMENT AND IMPLEMENTATION OF THE TRIIPP.

17 (g) AT LEAST ANNUALLY AND IF A TEMPERATURE-RELATED
18 ILLNESS OR INJURY OCCURS THAT RESULTS IN DEATH, DAYS AWAY FROM
19 WORK, MEDICAL TREATMENT BEYOND FIRST AID, OR LOSS OF
20 CONSCIOUSNESS, A PRINCIPAL SHALL REVIEW AND EVALUATE THE
21 EFFECTIVENESS OF THE TRIIPP. AFTER A REVIEW, THE PRINCIPAL SHALL
22 UPDATE THE TRIIPP AS NECESSARY. THE PRINCIPAL SHALL SEEK INPUT
23 AND INVOLVEMENT OF NONMANAGERIAL WORKERS AND THEIR
24 REPRESENTATIVES, IF ANY, DURING ANY REVIEW OR UPDATE.

25 (h) A PRINCIPAL SHALL MAKE A TRIIPP READILY AVAILABLE AT
26 A WORKSITE TO ALL WORKERS WORKING AT THE WORKSITE.

27 (i) A TRIIPP MUST BE AVAILABLE IN A LANGUAGE EACH WORKER,

1 SUPERVISOR, AND TEMPERATURE SAFETY COORDINATOR UNDERSTANDS.

2 (j) AS PART OF A TRIIPP, A PRINCIPAL SHALL DEVELOP AND
3 IMPLEMENT A TEMPERATURE EMERGENCY RESPONSE PLAN THAT
4 INCLUDES:

5 (I) A LIST OF EMERGENCY PHONE NUMBERS;

6 (II) A DESCRIPTION OF HOW WORKERS CAN CONTACT A
7 SUPERVISOR AND EMERGENCY MEDICAL SERVICES;

8 (III) THE NAME OF AN INDIVIDUAL DESIGNATED TO ENSURE THAT
9 TEMPERATURE EMERGENCY PROCEDURES ARE INVOKED WHEN
10 APPROPRIATE;

11 (IV) A DESCRIPTION OF HOW TO TRANSPORT A WORKER TO A PLACE
12 WHERE THEY CAN BE REACHED BY AN EMERGENCY MEDICAL SERVICES
13 PROVIDER;

14 (V) CLEAR AND PRECISE DIRECTIONS TO THE WORKSITE,
15 INCLUDING THE ADDRESS OF THE WORKSITE, WHICH CAN BE PROVIDED TO
16 EMERGENCY DISPATCHERS; AND

17 (VI) PROCEDURES FOR RESPONDING TO A WORKER EXPERIENCING
18 SIGNS AND SYMPTOMS OF TEMPERATURE-RELATED ILLNESS, INCLUDING:

19 (A) HEAT EMERGENCY PROCEDURES FOR RESPONDING TO A
20 WORKER WITH SIGNS AND SYMPTOMS OF A HEAT EMERGENCY; AND

21 (B) COLD EMERGENCY PROCEDURES FOR RESPONDING TO A
22 WORKER WITH SIGNS AND SYMPTOMS OF A COLD EMERGENCY, INCLUDING
23 RESPONDING TO A WORKER WITH SUSPECTED HYPOTHERMIA.

24 (k) AS PART OF A TRIIPP, A PRINCIPAL SHALL DEVELOP AND
25 IMPLEMENT A MONITORING PLAN AS DESCRIBED THIS SECTION.

26 (7) **Temperature-related illness and emergency response.**

27 (a) IF A WORKER IS EXPERIENCING SIGNS AND SYMPTOMS OF

1 HEAT-RELATED ILLNESS, A PRINCIPAL SHALL:
2 (I) RELIEVE THE WORKER FROM DUTY;
3 (II) MONITOR THE WORKER;
4 (III) ENSURE THE WORKER IS NOT LEFT ALONE;
5 (IV) OFFER THE WORKER ON-SITE FIRST AID OR MEDICAL SERVICES
6 BEFORE ENDING MONITORING; AND
7 (V) PROVIDE THE WORKER WITH THE MEANS TO REDUCE THEIR
8 BODY TEMPERATURE.
9 (b) IF A WORKER IS EXPERIENCING SIGNS AND SYMPTOMS OF A
10 HEAT EMERGENCY, A PRINCIPAL SHALL:
11 (I) TAKE IMMEDIATE ACTIONS TO REDUCE THE WORKER'S BODY
12 TEMPERATURE BEFORE EMERGENCY MEDICAL SERVICES ARRIVE;
13 (II) CONTACT EMERGENCY MEDICAL SERVICES IMMEDIATELY; AND
14 (III) PERFORM THE ACTIVITIES DESCRIBED IN SUBSECTION (7)(a)
15 OF THIS SECTION.
16 (c) IF A WORKER IS EXPERIENCING SIGNS AND SYMPTOMS OF A
17 COLD ILLNESS, A PRINCIPAL SHALL:
18 (I) RELIEVE THE WORKER FROM DUTY;
19 (II) MONITOR THE WORKER;
20 (III) ENSURE THE WORKER IS NOT LEFT ALONE;
21 (IV) OFFER THE WORKER ON-SITE FIRST AID OR MEDICAL SERVICES
22 BEFORE ENDING MONITORING; AND
23 (V) PROVIDE THE WORKER WITH THE MEANS TO INCREASE THEIR
24 BODY TEMPERATURE.
25 (d) IF A WORKER IS EXPERIENCING SIGNS AND SYMPTOMS OF A
26 COLD EMERGENCY, A PRINCIPAL SHALL:
27 (I) TAKE IMMEDIATE ACTIONS TO INCREASE THE WORKER'S BODY

1 TEMPERATURE BEFORE EMERGENCY MEDICAL SERVICES ARRIVE;
2 (II) CONTACT EMERGENCY MEDICAL SERVICES IMMEDIATELY; AND
3 (III) PERFORM THE ACTIVITIES DESCRIBED IN SUBSECTION (7)(c)
4 OF THIS SECTION.

5 (8) **Temperature illness prevention requirements.** (a) BEFORE
6 WORK AT OR ABOVE THE INITIAL HEAT TRIGGER OR AT OR BELOW THE
7 EXTREME COLD TEMPERATURE TRIGGER, A PRINCIPAL SHALL ENSURE THAT
8 EACH WORKER RECEIVES AND UNDERSTANDS TRAINING ON:

9 (I) THE LOCATION OF BREAK AREAS, INCLUDING SHADE OR
10 AIR-CONDITIONED AREAS AND WARMING AREAS;

11 (II) THE LOCATION OF THE PRINCIPAL-PROVIDED WATER;

12 (III) THE LOCATION OF THE RESTROOMS;

13 (IV) THE POLICIES AND PROCEDURES APPLICABLE TO THE
14 WORKER'S DUTIES, AS INDICATED IN THE WORKSITE'S TRIIPP;

15 (V) THE NAME OF THE TEMPERATURE SAFETY COORDINATOR;

16 (VI) A LIST OF EMERGENCY PHONE NUMBERS;

17 (VII) A DESCRIPTION OF HOW WORKERS CAN CONTACT A
18 SUPERVISOR AND EMERGENCY MEDICAL SERVICES;

19 (VIII) A DESCRIPTION OF HOW TO TRANSPORT A WORKER TO A
20 PLACE WHERE THEY CAN BE REACHED BY AN EMERGENCY MEDICAL
21 SERVICES PROVIDER;

22 (IX) CLEAR AND PRECISE DIRECTIONS TO THE WORKSITE,
23 INCLUDING THE ADDRESS OF THE WORKSITE, WHICH CAN BE PROVIDED TO
24 EMERGENCY DISPATCHERS;

25 (X) PROCEDURES FOR RESPONDING TO A WORKER EXPERIENCING
26 SIGNS AND SYMPTOMS OF HEAT-RELATED ILLNESS, INCLUDING HEAT
27 EMERGENCY PROCEDURES FOR RESPONDING TO A WORKER WITH

1 SUSPECTED HEATSTROKE;

2 (XI) THE REQUIREMENTS OF THIS SECTION, INCLUDING THE
3 PROHIBITION ON DISCRIMINATION OR RETALIATION AGAINST WORKERS FOR
4 EXERCISING RIGHTS PROTECTED BY SECTION 8-14.4-102;

5 (XII) THE PRINCIPAL'S COMMITMENT TO PREVENTING RETALIATION
6 ASSOCIATED WITH THE EXERCISE OF RIGHTS UNDER THIS SECTION; AND

7 (XIII) HOW THE WORKER CAN ACCESS THE WORKSITE'S TRIIPP.

8 (b) IN ADDITION TO THE REQUIREMENTS SET FORTH IN SUBSECTION
9 (8)(a) OF THIS SECTION, BEFORE WORK AT OR ABOVE THE INITIAL HEAT
10 TRIGGER, A PRINCIPAL SHALL ENSURE THAT EACH WORKER RECEIVES AND
11 UNDERSTANDS TRAINING ON:

12 (I) HEAT STRESS HAZARDS;

13 (II) HEAT-RELATED INJURIES AND ILLNESSES;

14 (III) RISK FACTORS FOR HEAT-RELATED INJURY OR ILLNESS,
15 INCLUDING:

16 (A) THE CONTRIBUTIONS OF PHYSICAL EXERTION;

17 (B) VAPOR-IMPERMEABLE CLOTHING AND PERSONAL PROTECTIVE
18 EQUIPMENT;

19 (C) A LACK OF ACCLIMATIZATION;

20 (D) UNHEALTHY AIR QUALITY; AND

21 (E) PERSONAL RISK FACTORS, INCLUDING AGE, HEALTH, ALCOHOL
22 CONSUMPTION, AND USE OF CERTAIN MEDICATIONS;

23 (IV) SIGNS AND SYMPTOMS OF HEAT-RELATED ILLNESS AND WHICH
24 ONES REQUIRE IMMEDIATE EMERGENCY ACTION;

25 (V) THE IMPORTANCE OF REMOVING CLOTHING AND PERSONAL
26 PROTECTIVE EQUIPMENT THAT MAY IMPAIR COOLING DURING REST
27 BREAKS;

1 (VI) THE IMPORTANCE OF TAKING REST BREAKS TO PREVENT
2 HEAT-RELATED ILLNESS OR INJURY AND THAT REST BREAKS ARE PAID; AND

3 (VII) THE IMPORTANCE OF DRINKING WATER TO PREVENT
4 HEAT-RELATED ILLNESS OR INJURY.

5 (c) IF A PRINCIPAL IS REQUIRED TO PLACE WARNING SIGNS FOR
6 EXCESSIVELY HIGH HEAT AREAS, THE PRINCIPAL SHALL TRAIN WORKERS
7 CONCERNING THE PROCEDURES TO FOLLOW WHEN WORKING IN THE HIGH
8 HEAT AREAS.

9 (d) BEFORE WORK IS PERFORMED AT OR BELOW THE EXTREME
10 COLD TEMPERATURE TRIGGER, THE PRINCIPAL SHALL ENSURE THAT EACH
11 WORKER RECEIVES AND UNDERSTANDS TRAINING ON:

- 12 (I) COLD ILLNESS;
- 13 (II) RISK FACTORS FOR COLD-RELATED INJURY OR ILLNESS,
14 INCLUDING THE CONTRIBUTIONS OF WETNESS, DAMPNES, WIND, PERSONAL
15 PROTECTIVE EQUIPMENT, LONG WORK SHIFTS OR DAYS, EXHAUSTION, AND
16 PERSONAL RISK FACTORS, SUCH AS AGE AND HEALTH; AND

17 (III) THE IMPORTANCE OF PROPER DRESS TO PREVENT COLD
18 ILLNESS.

19 (e) A PRINCIPAL SHALL ENSURE THAT EACH SUPERVISOR
20 RESPONSIBLE FOR SUPERVISING A WORKER PERFORMING WORK AT OR
21 ABOVE THE INITIAL HEAT TRIGGER OR AT OR BELOW THE EXTREME COLD
22 TEMPERATURE TRIGGER AND EACH TEMPERATURE SAFETY COORDINATOR
23 RECEIVES TRAINING AND UNDERSTANDS THE TRAINING ELEMENTS IN
24 SUBSECTION (8)(a) OF THIS SECTION AND UNDERSTANDS:

- 25 (I) THE POLICIES AND PROCEDURES DEVELOPED TO COMPLY WITH
26 THE APPLICABLE REQUIREMENTS OF THIS SECTION, INCLUDING THE
27 POLICIES AND PROCEDURES FOR MONITORING TEMPERATURE CONDITIONS

1 DEVELOPED TO COMPLY WITH THIS SECTION;

2 (II) THE PROCEDURES THE SUPERVISOR OR TEMPERATURE SAFETY
3 COORDINATOR MUST FOLLOW IF A WORKER EXHIBITS SIGNS AND
4 SYMPTOMS OF TEMPERATURE-RELATED ILLNESS; AND

5 (III) THE PRINCIPAL'S COMMITMENT TO SUPPORTING WORKERS AND
6 PREVENTING RETALIATION ASSOCIATED WITH THE EXERCISE OF RIGHTS
7 DESCRIBED IN THIS SECTION.

8 (f) A PRINCIPAL SHALL ENSURE THAT EACH WORKER RECEIVES
9 ANNUAL TRAINING ON AND UNDERSTANDS THE SUBJECTS ADDRESSED IN
10 THIS SUBSECTION (8). THE PRINCIPAL SHALL ENSURE THAT EACH
11 SUPERVISOR AND TEMPERATURE SAFETY COORDINATOR RECEIVES ANNUAL
12 TRAINING ON AND UNDERSTANDS THE TOPICS ADDRESSED IN SUBSECTION
13 (8)(e) OF THIS SECTION. FOR WORKERS WHO PERFORM WORK OUTDOORS,
14 THE PRINCIPAL SHALL CONDUCT THE ANNUAL REFRESHER TRAINING
15 DURING THE QUARTER PRECEDING THE TIME WHEN THE PRINCIPAL
16 REASONABLY ANTICIPATES INCREASED EXPOSURE TO EXTREME
17 TEMPERATURES OR, IF TEMPERATURES REMAIN CONSISTENT THROUGHOUT
18 THE YEAR, DURING THE FIRST CALENDAR QUARTER AND AS SOON AS
19 PRACTICABLE FOR NEW OR SEASONAL WORKERS.

20 (g) A PRINCIPAL SHALL ENSURE THAT EACH WORKER PROMPTLY
21 RECEIVES AND UNDERSTANDS ADDITIONAL TRAINING WHEN:

22 (I) CHANGES OCCUR THAT AFFECT A WORKER'S EXPOSURE TO HEAT
23 OR COLD AT WORK;

24 (II) THE PRINCIPAL CHANGES THE POLICIES OR PROCEDURES
25 ADDRESSED IN THIS SECTION;

26 (III) THERE IS AN INDICATION THAT THE WORKER HAS NOT
27 RETAINED THE NECESSARY UNDERSTANDING; OR

1 (IV) A TEMPERATURE-RELATED INJURY OR ILLNESS OCCURS AT
2 THE WORKSITE THAT RESULTS IN DEATH, DAYS AWAY FROM WORK,
3 MEDICAL TREATMENT BEYOND FIRST AID, OR LOSS OF CONSCIOUSNESS.

4 (h) A PRINCIPAL SHALL PROVIDE TRAINING IN A LANGUAGE AND AT
5 A LITERACY LEVEL THAT EACH WORKER, SUPERVISOR, AND TEMPERATURE
6 SAFETY COORDINATOR UNDERSTANDS. THE PRINCIPAL SHALL PROVIDE
7 EACH WORKER WITH AN OPPORTUNITY FOR QUESTIONS AND ANSWERS
8 ABOUT THE TRAINING MATERIALS.

9 (9) **Requirements implemented at no cost to workers.** A
10 PRINCIPAL SHALL IMPLEMENT THE REQUIREMENTS OF THIS SECTION AT NO
11 COST TO WORKERS, INCLUDING PAYING WORKERS THEIR NORMAL RATE OF
12 PAY WHEN COMPLIANCE REQUIRES WORKERS' TIME.

13 **SECTION 3.** In Colorado Revised Statutes, 8-14.4-106, **amend**
14 (2) introductory portion, (3)(a), (3)(b), and (3)(d) as follows:

15 **8-14.4-106. Relief authorized.** (2) A court may order affirmative
16 relief that the court determines to be appropriate, including the following
17 relief, against a respondent who is found to have ~~engaged in a~~
18 ~~discriminatory, adverse, or retaliatory employment practice prohibited by~~
19 VIOLATED this article 14.4:

20 (3) (a) In addition to the relief available pursuant to subsection (2)
21 of this section, in a civil action brought by a plaintiff under this article
22 14.4 against a defendant who is found to have ~~engaged in an intentional~~
23 ~~discriminatory, adverse, or retaliatory employment practice~~ VIOLATED
24 THIS ARTICLE 14.4, the plaintiff may recover compensatory and punitive
25 damages as specified in this subsection (3).

26 (b) A plaintiff may recover punitive damages against a defendant
27 if the plaintiff demonstrates by clear and convincing evidence that the

1 defendant VIOLATED THIS ARTICLE 14.4 OR engaged in a discriminatory,
2 adverse, or retaliatory employment practice with malice or reckless
3 indifference to the rights of the plaintiff. However, if the defendant
4 demonstrates good faith efforts to comply with this article 14.4 and to
5 prevent discriminatory, adverse, and retaliatory employment practices in
6 the workplace, the court shall not award punitive damages against the
7 defendant.

8 (d) In determining the appropriate level of damages to award a
9 plaintiff who has been the victim of ~~an intentional discriminatory,~~
10 ~~adverse, or retaliatory employment practice~~ A VIOLATION OF THIS ARTICLE
11 14.4, the court shall consider the size and assets of the defendant and the
12 egregiousness of the ~~discriminatory, adverse, or retaliatory employment~~
13 ~~practice~~ VIOLATION.

14 **SECTION 4. Act subject to petition - effective date.** This act
15 takes effect April 1, 2026; except that, if a referendum petition is filed
16 pursuant to section 1 (3) of article V of the state constitution against this
17 act or an item, section, or part of this act within the ninety-day period
18 after final adjournment of the general assembly, then the act, item,
19 section, or part will not take effect unless approved by the people at the
20 general election to be held in November 2026 and, in such case, will take
21 effect on the date of the official declaration of the vote thereon by the
22 governor.