

Washington State Issues Emergency Heat Exposure Rules to Protect Outdoor Workers

On July 9, 2021, in the wake of an extreme heat wave that resulted in record-high temperatures, Washington became the second state in the Pacific Northwest to announce emergency rules that provide hot weather protection to outdoor workers. These rules came just one day after [Oregon passed similar rules](#). Washington's rules took effect July 13, 2021, and update existing rules that go into effect from May through September each year. The rules provide farmworkers, construction workers, and others who work outdoors mandatory employer-provided measures to prevent heat-related illness.

Requirements for Existing Heat Exposure Rules

Under the existing heat exposure rules, employers must:

- Create an Outdoor Heat Exposure Prevention Plan as part of their required Accident Prevention Program;
- Provide annual training on symptoms of heat exposure and policies to prevent heat-related illness;
- Increase the amount of water available to employees and provide more opportunities for workers to drink water; and
- Be prepared to respond to an employee with symptoms of heat-related illness.

Requirements for Emergency Heat Exposure Rules

The emergency heat exposure rules effective from July 13, 2021, to September 30, 2021, add new requirements.

When the temperature is at or above 89 degrees, employers must:

- Provide water that is cool enough to drink safely; and
- Allow and encourage workers to take additional paid preventative cool-down rest periods.

When the temperature is at or above 100 degrees, employers must:

- Provide shade or other sufficient means for employees to cool down; and
- Ensure workers have a paid cool-down rest period of at least 10 minutes every two hours.

Key Takeaway

Employers with outdoor workers should ensure they are taking steps to comply with the requirements of both the existing heat exposure rules and the emergency heat exposure rules through the end of September.

Employers can learn more at the Washington State Department of Labor & Industries Be Heat Smart website: <https://www.lni.wa.gov/safety-health/safety-training-materials/workshops-events/beheatsmart>.

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