



December 11, 2024

VIA FEDERAL eRULEMAKING PORTAL
(<http://www.regulations.gov>)
Occupational Safety and Health Administration
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210

RE: RIN 1218–AD39, Docket No. OSHA–2021–0009, Notice of Proposed Rulemaking re: Heat Injury and Illness Prevention in Outdoor and Indoor Work Setting.

The National Treasury Employees Union (NTEU) submits these comments in support of OSHA’s notice of proposed rulemaking regarding Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings. 89 Fed. Reg. 70698 (Aug. 30, 2024). “OSHA’s protection applies to all federal agencies” and “[f]ederal agencies must have a safety and health program that meets the same standards as private employers.” OSHA, *Workers’ Rights*, <https://www.osha.gov/sites/default/files/publications/osha3021.pdf>.

The proposed rule will be the first federal rule requiring employers to create ongoing plans to evaluate and control heat hazards in the workplace. It proposes long-overdue, common-sense precautions. It would require, for example, a series of protections when an initial heat trigger of 80 degrees is met, including access to water, rest areas with shade or air conditioning, and an acclimatization plan for the first week of new and returning employees. The acclimatization plan is important

because nearly three out of four employees who die from heat-related causes die in their first week on the job.

The proposed rule would require additional precautions when a higher heat trigger of 90 degrees is met, including paid rest breaks of at least 15 minutes every two hours, and an observation system to check on employees for signs of heat-related risks. It also would require employers to provide initial and refresher training on heat hazards.

NTEU represents federal employees in 36 departments and agencies. Many of these employees work long hours outside in all weather conditions, including high heat. For example:

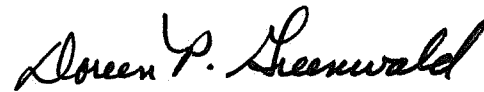
- In NTEU's Bureau of Land Management chapters, NTEU-represented employees who would benefit from this rule include surveyors, rangers, firefighters, range technicians, archaeologists, botanists and monitoring crews;
- NTEU's National Park Service employees include many who work outside in and around the National Mall in Washington, D.C., where the heat index routinely exceeds 100 degrees in the summer; and
- NTEU-represented Customs and Border Protection Officers, Agriculture Specialists and trade specialists frequently work outside at our nation's 328 ports. These CBP employees tirelessly combat human smuggling, seize illegal drugs and counterfeit products, and facilitate the lawful flow of trade and travel around the clock and in all kinds of weather.

- At the Federal Law Enforcement Training Centers, NTEU-represented employees often train federal and other law enforcement personnel outdoors at facilities in Georgia, New Mexico, South Carolina and Maryland.

In addition to concerns about outdoor excessive heat issues, NTEU members must sometimes grapple with similar problems indoors when cooling systems fail in outdated buildings. All these employees deserve mandatory, sensible protections against the dangers of high heat. NTEU urges OSHA to finalize its proposed rule promptly.

Thank you for your consideration of these comments.

Sincerely,



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