

Asunción Valdivia Heat Illness, Injury, and Fatality Prevention Act of 2023

The Problem

Heat-related illnesses can cause heat cramps, organ damage, heat exhaustion, stroke, and even death. Between [1992 and 2017](#), heat stress injuries killed 815 U.S. workers and seriously injured more than 70,000.

Climate change is making the problem worse. According to the National Oceanic and Atmospheric Administration (NOAA), the year 2021 was the [fourth hottest](#) on record for the U.S., and the years 2013-2021 all marked among the [ten hottest years](#) on record for the planet. The trend continues: 2022 was the [fifth warmest](#) year on record.

Farmworkers and construction workers suffer the [highest incidence](#) of heat illness. No matter what the weather is outside, workers in factories, commercial kitchens, and other workplaces—including ones where workers must wear personal protective equipment (PPE)—can face dangerously high heat conditions all year round.

There is no federal Occupational Safety and Health Administration (OSHA) standard to ensure the safety and health of workers who are exposed to dangerous heat conditions in the workplace. Five states and the U.S. military have already successfully adopted their own heat stress standards. These standards can lower costs for employers while protecting employee health. In 2011, a Central Texas municipality implemented a heat-related illness prevention program for outdoor municipal workers. After the program was implemented, not only did the number of heat-related illnesses decrease, but workers' compensation costs for heat-related illnesses also decreased by 50 percent.

The Solution

The *Asunción Valdivia Heat Illness, Injury, and Fatality Prevention Act of 2023*—led by Ranking Member Robert C. "Bobby" Scott (VA-03), Rep. Judy Chu (CA-28), Workforce Protections Subcommittee Ranking Member Alma Adams (NC-12), and Rep. Raúl Grijalva (AZ-07)—would help protect indoor and outdoor workers against occupational exposure to excessive heat.

The legislation:

- Requires OSHA to establish an enforceable standard to protect workers in jobs at risk for hazardous heat stress with measures like paid breaks in cool spaces, access to water, limitations on time exposed to heat, and emergency response for workers with heat-related illness.
- Directs employers to provide training and hazard advisories to their employees about heat stress in the language their employees understand and in a format appropriate for their literacy and education levels.