

Temporary Rule on Heat in Ag Housing

Summary of Key Elements

Labor Housing has not been a focus of discussions in the current Rulemaking Advisory Committee on Heat Stress, because Oregon OSHA plans to address all such issues as part of its comprehensive Ag Labor Housing Rulemaking. As a result, housing was not included in the temporary Heat Rule – however, the issues of heat in employer-provided housing remain important, and the effect of heat in such housing can magnify the impact on outdoor workers because of their limited ability to recover from working in the heat. Therefore, Oregon OSHA has adopted a temporary rule specific to those risks, which takes effect August 9, 2021.

- A. The rule require employers to ensure that occupants in labor housing have information about heat illness, how to avoid it, and how to contact emergency medical care in the event of serious illness.**

The primary means of providing such information would be through posters provided by Oregon OSHA in both English and Spanish (and relying heavily on pictograms), with emergency contact information added by the employer housing operator.

- B. The rule requires housing without suitable temperature control (able to keep indoor temperatures under 78 degrees Fahrenheit) to include common areas that would provide some relief from the heat.**

The rule requires such areas to accommodate up to half the occupants at a time. Employers can provide indoor cooling rooms, shading outdoor rest areas open to the breeze, or any combination of the two. They need to equip them with misters or use individual cooling measures (such as cooling vests, cooling towels, or personal misters). Individual items need to be cleaned before use by others.

- C. The rule requires housing without suitable temperature control (able to keep indoor temperatures under 78 degrees Fahrenheit) to ensure windows can be shaded and fans are available for occupant use.**

The rule requires windows to be shaded from direct sunlight (using means that do not interfere with the use of the windows and that provide relief from radiant heat). It also requires that fans be provided at no cost to occupants.

- D. The rule requires thermometers in housing units.**

The rule includes a requirement allowing occupants to monitor the temperature for themselves. It encourages, but not require, that they also be able to measure humidity so that they can determine the heat index.

- E. The rule requires immediate access to a working telephone (either a landline or using reliable cell service) that can be used to contact emergency services.**

This is required now by other state agency rules, but it is not explicitly included in Oregon OSHA's rules.

- F. The rule includes the same anti-retaliation note we included in the COVID-19 rules and in the temporary heat rule.**

This note reiterates and reinforces existing law; it is not a new requirement.