

*Marylanders for*  
**FOOD & FARM**  
**Worker Protection**



Marylanders for Food and Farm Worker Protection endorse the federal petition from the Maryland Office of the Attorney General asking for a strong, federal heat stress standard. The remainder of our comments are intended to amplify specific points relating to food and agricultural workers.

Strong heat stress standards are essential for safeguarding the health and well-being of food and agricultural workers and creating a sustainable and safe workplace. Exposure to excessive heat can lead to serious health conditions including heat exhaustion, heat stroke, impaired kidney function, and other heat-related illnesses. These standards provide effective regulations on temperature thresholds, work and rest schedules, and preventive measures to reduce heat-related illnesses among workers. Strong heat stress standards also help employers identify and manage potential heat-related risks.

Maryland's current lack of any heat stress standards is unacceptable and provides little to no protection for employees from excessive heat and heat-related illnesses. However, the newly proposed heat illness prevention standards are a great leap forward in improving worker safety and include effective safety measures to prevent heat related illness:

- The designated temperature trigger for heat-stress accommodations at 80°F aligns with the more stringent regulations observed in states such as California, Colorado, and Washington.
- Requires employers to develop, implement, and maintain an effective heat illness prevention and management plan in writing.
- Allows MOSH to enforce the improved standards, something that was incredibly difficult in the previous draft as the standards didn't require a written plan.
- Considers effects of acclimatization, clothing and PPE, allowing employers to more accurately assess the heat burden and adjust their prevention measures when needed.
- Includes provisions for easy access to shade, written high heat procedures, and annual employee training

There are improvements that are needed to make the standards more effective and truly protect workers:

- The standards need to include radiant heat in assessing heat exposure. High radiant heat can exacerbate heat-related illness and including it in temperature assessment is essential for a more comprehensive understanding of the potential impact on worker health and safety.
- The standards need to empower workers to halt operations in instances of excessive heat before it becomes serious resulting in workers developing heat stroke.
- The standards should also consider the additional risk to farmworkers who wear protective clothing to protect against pesticides. It can add significantly to their heat load, so pesticide applicators need to be protected at even lower temperatures than those set for other workers.
- Employers should be required to provide paid rest, and toilet breaks for all employees including piece rate workers as well as those paid on an hourly basis.

Thank you for your time; your consideration of these matters and solutions is very much appreciated.

Sincerely,

Marylanders for Food and Farm Worker Protection Coalition