



MEMORANDUM

Date: August 9, 2024

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: Jan Leshner 
County Administrator

Re: **Heat Safety Ordinance Discussion and Action**

The Pima County Board of Supervisors (BOS) directed County staff to continue to explore a Heat Safety Ordinance for County contractors, for heat protections, especially for outdoor workforce and hot environments. As I've highlighted to the Board in previous discussions pertaining to a Heat Safety Ordinance, on July 2, 2024, Occupational Safety and Health Administration (OSHA) released the federal Proposed Rule for Heat Workforce Safety to protect workers from heat hazards, illness and injury. If passed, this would establish the nation's first-ever federal safety standard. As highlighted in previous memorandum, OSHA currently only has recommendations, but no set standard for heat preparedness and response.

Core tenets of OSHA's Proposed Rule include a requirement to develop a 'Heat Injury and Illness Prevention Plan' which must include all policies and procedures necessary to comply with the requirements of the standard. An identification of the heat metric, personal protective equipment, heat emergency response protocols, identification of heat hazards, and implementation of protocol such as access to cool water, shade, breaks, modified schedules, training and acclimatization periods are some of the proposed requirements. The Proposed Rule also details that employers must solicit input from their staff, develop communication protocols, and implement workforce protocols for monitoring of signs and symptoms – such as, but not limited to buddy systems, emergency call protocols, or hazard alert notifications.

In absence of a federal or state standard, localities have been implementing their own heat safety protocols, such as the Heat Safety Ordinance in discussion. The County has implemented Administrative Procedure 3-35 (with feedback gathered from staff and departments) and a draft proposed Heat Ordinance for County contractors and subcontractors. Both of these documents have aligned with the core tenets of the OSHA Proposed Rule.

Draft language for the Pima County Heat Safety Ordinance, specific to future County contractors, was presented to the BOS at the [July 16th meeting](#) and approved for publication to provide an opportunity to solicit public comment on the proposed language for a fifteen-day period. The County received fourteen comments on the proposed language. The revised Heat Safety Ordinance (Attachment 1) is reflective of critical input, specifically input from the State Attorney General, Kris Mayes' Office. (Attachment 2)

The comprehensive feedback was inclusive of comments not only from the Arizona Attorney General Kris Mayes' Office, but also labor union representatives, and Pima County residents (Attachment 3). Of all the comments, thirteen of the fourteen were in support of the

The Honorable Chair and Members, Pima County Board of Supervisors
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ordinance, one opposed, and most proposed additional and augmented language to bolster the Ordinance's specificity for heat resources and methods of enforcement.

A modified Heat Safety Ordinance with new augmented language is reflected in Attachment 1. As highlighted in the Proposed Heat Safety Ordinance, the Ordinance modification would specifically adjust future contract language to be integrated into all County contracts assuring that County contractors and sub-contractors have a 'Heat Injury and Illness Prevention Plan.'

The public comment edits to the proposed language include specificity to what the heat plan would include such as, but not limited to:

- Required elements a Heat Safety Plan – specifically, access to water, breaks / heat respite, access to shade and cooling, effective acclimatization periods, emergency response and communications protocols, training and signage available for reporting / monitoring.
- Added monitoring considerations on behalf of the County and opportunities for workforce to safely report infractions to OSHA / ADOSH.
- Added language to provide these materials in both English and Spanish and made available onsite and through comprehensive trainings.

The detailed additions and public comment align with the requirements highlighted in the Proposed Rule and best practices for Heat Safety.

The County will take direct action at the guidance of the BOS on proposed next steps. If approved, the County staff will integrate the Ordinance contract language, for future contracts, and develop internal protocol for Departments to support the implementation of such on County contractors and sub-contractors. These protocols can include support materials, such as but not limited to draft heat safety plans, guidance and language around heat illness and injury as directed by federal guidance – such as OSHA, National Institute for Occupational Safety and Health (NIOSH) and the Centers for Disease Control (CDC) and work interdepartmentally for the 30-day implementation period.

I recommend approval of the proposed workplace Heat Safety Ordinance.

JKL/anc

c: Carmine DeBonis, Jr., Deputy County Administrator
Francisco García, MD, MPH, Deputy County Administrator & Chief Medical Officer
Steve Holmes, Deputy County Administrator
Sam Brown, Pima County Attorney's Office
Terri Spencer, Director, Pima County Procurement
Theresa Cullen, MD, Director, Pima County Health Department
Sarah Davis, Senior Advisor, County Administration

ATTACHMENT 1

ORDINANCE 2024- _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO WORKPLACE HEAT SAFETY; AMENDING THE PIMA COUNTY CODE BY ADDING A NEW CHAPTER 11.40 TO THE PIMA COUNTY PROCUREMENT CODE

The Board of Supervisors of Pima County, Arizona finds that:

1. The Board of Supervisors has authority under A.R.S. §§ 11-251(17), 11-251.05, and 36-186(8) to adopt provisions necessary to preserve the health of the county, and under A.R.S. § 23-430(A) to assert jurisdiction over any occupational safety or health issue with respect to which no standard or regulation is in effect.
2. Heat-related illness is a serious public health concern in Pima County. Individuals who are required to work outdoors are at higher risk of heat-related illness, injuries, and even death.
3. No state statute or regulation addressing the mitigation of heat-related illnesses and injuries in the workplace is currently in effect within the state of Arizona.
4. It is in the best interest of the County to require that any contractor whose employees or contract workers perform work in an outdoor environment under a Pima County contract must utilize a Heat Injury and Illness Prevention and Safety Plan to prevent and remediate heat-related illnesses and injuries in the workplace.

IT IS ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

Section 1: Title 11 of the Pima County Code is amended to add a new Chapter 11.40 as follows:

**Chapter 11.40
WORKPLACE HEAT SAFETY**

11.40.010 Declaration of Policy. The purpose of this chapter is to protect outdoor workers from heat hazards by requiring that all contractors or subcontractors who work under a Pima County contract and whose employees or contract workers work outdoors create a written Heat Injury and Illness Prevention and Safety Plan.

11.40.020 Definitions.

1. "Heat Injury and Illness Prevention and Safety Plan" means a written plan that details preventative and remedial measures to provide protection and relief from heat hazards.
2. "Outdoor environment" means a location where 50% or more work activities are conducted outside. The term also includes locations where work activities are conducted inside, but the temperature is not managed by air conditioning or other devices that reduce heat exposure (examples include, but are not limited to, sheds, greenhouses, tents and vehicles).

11.40.030 Mandatory Contract Clause. The following clause must be included in all County contracts:

Heat Injury and Illness Prevention and Safety Plan. Contractor hereby warrants that if Contractor's employees perform work in an outdoor environment under this Contract, Contractor will keep on file a written Heat Injury and Illness Prevention and Safety Plan. At County's request, Contractor will provide a copy of this plan and documentation of heat safety and mitigation efforts implemented by Contractor to prevent heat-related illnesses and injuries in the workplace. Contractor will post a copy of the Heat Injury and Illness Prevention and Safety Plan where it is accessible to employees. Contractor will further ensure that each subcontractor who performs any work for Contractor under this Contract complies with this provision.

11.40.040 Required Elements of a Heat Injury Illness Prevention and Safety Plan

A Heat Injury and Illness Prevention and Safety Plan should include the following required elements:

1. Water Access: sufficient amount of cool water available at work sites
2. Opportunities for rest / respite from heat (with regular breaks increasing in frequency as the temperature rises, and as needed)
3. Access to Shade (and / or alternative cooling methods, preferably including air-conditioning where available), and access to air conditioning in vehicles with enclosed cabs.
4. Effective acclimatization practices to promote the physiological adaptation of employees or contract workers newly assigned or reassigned to work in an outside environment.

5. Monitoring Protocols: close monitoring and observation of employees working in heat, potentially including a 'buddy system' where employees are partnered together
6. Communication Protocols: specifically, a documented ready-means of communication between supervisors and employees.
7. Emergency Response Protocols: specifically, a documented ready-means of communication between supervisors and employees in the event of a heat-related emergency.
8. Annual Training for supervisors and employees that address environmental and personal risk factors related to heat, the symptoms, and signs of heat illness and injuries, and the policies and procedures in place to prevent and remedy heat-related harm.
9. The posting of signage at the job site that contains information, in both English and Spanish, explaining how to (a) recognize and report signs and symptoms of heat illness and injury; (b) administer appropriate first aid measures, and (c) report heat-related illness and injury to emergency medical personnel. The signage must also include a phone number for reporting heat violations to Occupational Safety and Health Administration (OSHA) / Arizona Division of Occupational Safety and Health (ADOSH).
10. Providing written notification to all employees and contract workers regarding their new worker protections under this provision. This notification shall be provided to existing employees and during the onboarding process for new employees. The notification shall be provided to each worker in the language preferred by that worker and must be posted in the workplace.
11. Documented evidence of Heat Injury Illness Prevention and Safety Plan implementation and compliance.

11.40.050 Penalties. A Contractor who fails to comply with the provisions of this chapter after receiving notice and an opportunity to comply is subject to sanctions permitted by law including, but not limited to, cancellation, termination, or suspension of the County contract.

11.40.060 Enforcement. The County Department primarily responsible for managing any contract may monitor compliance with this chapter, including, but not limited to inspections, interviews, and audits. If the County Department learns that a Contractor is in violation of this chapter, Contractor will be notified by the Department for remedy of such violation. If the Contractor, after notice of noncompliance, fails to demonstrate that it has taken appropriate

corrective action for the breach, the Department will notify OSHA/ADOSH and may take other action as permitted according to the terms of the contract, including termination.

11.40.070 Exemptions. This chapter does not apply to any County contract with federal, state, or local governments or their agencies.

Section 2. This Ordinance is effective 30 days after the date of adoption.

PASSED AND ADOPTED by the Board of Supervisors, Pima County, Arizona, this _____ day of _____, 2024.

Chair, Board of Supervisors

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:



Deputy County Attorney

Clean Version

ORDINANCE 2024- _____

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2. Heat-related illness is a serious public health concern in Pima County. Individuals who are required to work outdoors are at higher risk of heat-related illness, injuries, and even death.
3. No state statute or regulation addressing the mitigation of heat-related illnesses and injuries in the workplace is currently in effect within the state of Arizona.
4. It is in the best interest of the County to require that any contractor whose employees or contract workers perform work in an outdoor environment under a Pima County contract must utilize a Heat Injury and Illness Prevention and Safety Plan to prevent and remediate heat-related illnesses and injuries in the workplace.

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11.40.040 Required Elements of a Heat Injury Illness Prevention and Safety Plan

A Heat Injury and Illness Prevention and Safety Plan should include the following required elements:

1. Water Access: sufficient amount of cool water available at work sites
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3. Access to Shade (and / or alternative cooling methods, preferably including air-conditioning where available), and access to air conditioning in vehicles with enclosed cabs.
4. Effective acclimatization practices to promote the physiological adaptation of employees or contract workers newly assigned or reassigned to work in an outside environment.

5. Monitoring Protocols: close monitoring and observation of employees working in heat, potentially including a 'buddy system' where employees are partnered together
6. Communication Protocols: specifically, a documented ready-means of communication between supervisors and employees.
7. Emergency Response Protocols: specifically, a documented ready-means of communication between supervisors and employees in the event of a heat-related emergency.
8. Annual Training for supervisors and employees that address environmental and personal risk factors related to heat, the symptoms, and signs of heat illness and injuries, and the policies and procedures in place to prevent and remedy heat-related harm.
9. The posting of signage at the job site that contains information, in both English and Spanish, explaining how to (a) recognize and report signs and symptoms of heat illness and injury; (b) administer appropriate first aid measures, and (c) report heat-related illness and injury to emergency medical personnel. The signage must also include a phone number for reporting heat violations to Occupational Safety and Health Administration (OSHA) / Arizona Division of Occupational Safety and Health (ADOSH).
10. Providing written notification to all employees and contract workers regarding their new worker protections under this provision. This notification shall be provided to existing employees and during the onboarding process for new employees. The notification shall be provided to each worker in the language preferred by that worker and must be posted in the workplace.
11. Documented evidence of Heat Injury Illness Prevention and Safety Plan implementation and compliance.

11.40.050 Penalties. A Contractor who fails to comply with the provisions of this chapter after receiving notice and an opportunity to comply is subject to sanctions permitted by law including, but not limited to, cancellation, termination, or suspension of the County contract.

11.40.060 Enforcement. The County Department primarily responsible for managing any contract may monitor compliance with this chapter, including, but not limited to inspections, interviews, and audits. If the County Department learns that a Contractor is in violation of this chapter, Contractor will be notified by the Department for remedy of such violation. If the Contractor, after notice of noncompliance, fails to demonstrate that it has taken appropriate

corrective action for the breach, the Department will notify OSHA/ADOSH and may take other action as permitted according to the terms of the contract, including termination.

11.40.070 Exemptions. This chapter does not apply to any County contract with federal, state, or local governments or their agencies.

Section 2. This Ordinance is effective 30 days after the date of adoption.

PASSED AND ADOPTED by the Board of Supervisors, Pima County, Arizona, this _____ day of _____, 2024.

Chair, Board of Supervisors

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:



Deputy County Attorney

ATTACHMENT 2



KRIS MAYES
Attorney General

Office of the Attorney General
EXECUTIVE OFFICE

Phone: 602-542-7000
www.azag.gov

August 6, 2024

VIA EMAIL

Pima County Board of Supervisors
33 N. Stone Ave., 11th Floor
Tucson, AZ 85701-1404
HeatOrdinance@pima.gov

Re: Proposed Heat Ordinance

Dear Pima County Supervisors:

I am writing to you to express my support for the adoption of a heat ordinance (“the Ordinance”)¹ in Pima County that enhances protections for workers. I am also respectfully suggesting some additions to the Ordinance that would both strengthen the protection it affords and promote compliance with it.

At the outset, I would like to recognize Pima County’s leadership on this issue. Pima County is at the forefront of Arizona counties extending heat-related protections to workers covered by the Ordinance. As Pima County clearly recognizes in proposing a heat standard, exposure to extreme heat may (and all too often does) lead to serious illness, such as heat stroke, and even death. Extreme heat can be particularly perilous for employees working long hours outdoors, engaging in heavy or vigorous physical work, or wearing protective clothing or gear while working. Expanding protections to workers and ensuring that employers are prepared to address, reduce, and remove heat-related hazards are essential to preventing dire outcomes.

The Attorney General’s Office (“AGO”) helps enforce Arizona’s occupational safety and health laws. AGO may prosecute any employer that knowingly either (1) fails to furnish to employees “employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm,” known as the General Duty Clause,² or (2) violates any standard or regulation adopted by the legislature or the Industrial Commission of Arizona, and that failure or violation causes the death of an employee.³ Likewise, AGO is empowered by the Consumer Fraud Act to investigate and to bring an action

1 Pima County Board of Supervisors, Notice of Heat Ordinance Public Hearing (July 19, 2024), <https://www.pima.gov/3119/Proposed-Pima-County-Taxes-and-Fees>.

2 A.R.S. § 23-403(A).

3 A.R.S. § 23-418(E).

against any company that makes false or deceptive statements about its employee safety commitment or record in connection with the sale or advertisement of its merchandise.⁴

As the Ordinance recognizes, in the absence of a federal or state standard, counties and cities may pass their own standards to address workers' exposure to extreme heat. Although the General Duty Clause provides some critical protection to workers, it is necessarily written in general terms. It does not provide specific guidance on an employer's duties with respect to heat-related hazards, it does not provide clarity on the precise conditions under which heat represents a recognized hazard, and it does not outline steps an employer must take to mitigate or eliminate the hazard. While I would prefer to see the development of a state heat standard that reflects the unique needs and realities of Arizona, I support the efforts of counties and cities that have taken the initiative to protect workers by adopting standards of their own, as Pima County proposes to do here.

The Ordinance would require a contractor (or subcontractor) working on a County contract whose employees perform work in an "outdoor environment" (as defined in the Ordinance) to have "on file," and to produce upon the County's request, a "Heat Illness and Injury Prevention and Safety Plan" that "details preventative and remedial measures to provide protection and relief from heat hazards."⁵ In addition, the Ordinance would require a contractor to provide the County, upon request, with "documentation of heat safety and mitigation efforts implemented" by the contractor.⁶ Finally, the proposal would require that the plan be posted "where it is accessible to employees."⁷

The Ordinance would, if adopted, be an improvement over current heat-related worker protections. To make the protection the Ordinance provides more meaningful, substantial, and effective, however, I respectfully suggest that the proposal prescribe some required elements for a Heat Illness and Injury Prevention and Safety Plan ("Plan"). To be effective, a Plan should include the following elements when the temperature reaches a prescribed threshold at which heat becomes a greater risk: (1) a sufficient amount of cool water; (2) rest (with regular breaks increasing in frequency as the temperature rises and as needed); (3) shade (and/or alternative cooling methods, preferably including air-conditioning where available); (4) an opportunity to acclimatize to the heat for employees who are not used to such heat exposure; (5) close monitoring and observation of employees working in the heat, potentially including a buddy system; and (6) a ready means of communication between supervisors and employees. Any Plan should also include procedures in the event of an emergency and annual training for supervisors and employees that address environmental and personal risk factors related to heat, the symptoms and signs of heat illness and injuries, and the policies and procedures in place to prevent and remedy heat-related harm.

To ensure contractors and subcontractors are complying with the Ordinance in practice and not just on paper, I further respectfully suggest the Ordinance include (1) language clearly

4 A.R.S. § 44-1524.

5 Pima County Board of Supervisors, Notice of Heat Ordinance Public Hearing (July 19, 2024), <https://www.pima.gov/3119/Proposed-Pima-County-Taxes-and-Fees>.

6 *Id.*

7 *Id.*

Pima County Board of Supervisors

August 6, 2024

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mandating compliance with the Plan (rather than simply requiring having a Plan in place and having to document general efforts to implement the Plan), (2) a mechanism for the County to directly monitor compliance with the Ordinance, including through inspections, interviews, and audits, and (3) a clear channel for employees and others to report violations. With such measures in place, contractors and subcontractors will understand that the risk of any violations being detected (and ultimately potentially losing the relevant contract) is much greater than it would otherwise be, and they will have every incentive to comply. An Ordinance with these suggested additions would afford a greater degree of protection to employees against largely preventable heat illnesses and injuries.

I thank you in advance for your consideration of this comment on this critical issue, and I look forward to Pima County enacting a heat ordinance that protects workers.

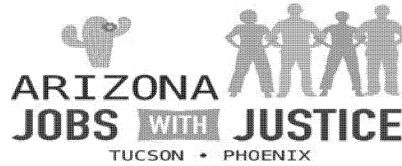


Kris Mayes

Attorney General

State of Arizona

ATTACHMENT 3



Dear Ms. Leshar and Dr. Cullen

The Arizona Jobs with Justice Heat Safety Coalition requests a meeting during this week or next regarding the proposed Pima County Heat Ordinance. We would like to use this meeting as an opportunity to discuss the language, implementation, and enforcement of the proposed ordinance. Additionally, we would like to discuss our collective recommendations for amendments/additions to the ordinance, as detailed below:

- **Include County Workers:** Ensure that the ordinance covers all city and county workers to provide comprehensive protection.
- **Specify Both Indoor and Outdoor Worksites:** Clarify that the safety measures apply to both indoor and outdoor worksites to protect all employees.
- **Anti-Retaliation Provision:** Include provisions to protect workers from retaliation when they report safety concerns or violations.
- **Worker Access to a Copy of Heat Safety Plan in Preferred Language:** Ensure that workers have access to the Heat Safety Plan in their preferred language at no cost.
- **Training in Preferred Language:** Provide training on heat illness prevention and first aid in the workers' preferred language.
- **Require a Heat Illness Prevention Committee and Worker Reporting Spokesperson at Worksite:** Establish committees at each worksite and designate a spokesperson for workers to report concerns.
- **Advisory Committee:** Form an advisory committee that includes AFSCME and is co-chaired by Fatima Luna Chief Resilience Officer City of Tucson to provide ongoing guidance and oversight.

We thank you very much for your time and look forward to hearing from you soon.

Sincerely,


AZ Jobs with Justice Organizer

[REDACTED]

From: [REDACTED]
Sent: Friday, August 2, 2024 3:39 PM
To: Heat Ordinance
Subject: [REDACTED]

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Heat Ordinance Comment

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Hello,

After reviewing your proposed worker heat protection ordinance we recommend incorporating the following guidelines, so employers know the basic elements that must be included in their heat plan. The following are the elements that were required in Tucson and Phoenix:

At a minimum, the Heat Safety Plan must include each of the following elements as it relates to heat safety:

1. Availability of sanitized cool drinking water free of charge at locations that are accessible to all employees and contract workers.
2. Ability to take regular and necessary breaks as needed and additional breaks for hydration.
3. Access to shaded areas and/or air conditioning.
4. Access to air conditioning in vehicles with enclosed cabs.
5. Effective acclimatization practices to promote the physiological adaptation of employees or contract workers newly assigned or reassigned to work in an outside environment.
6. Training of employees and contract workers, no later than one week prior to being deployed to work in an outdoor environment, on heat illness and injury that focuses on environmental and personal risk factors, prevention, how to recognize and report signs and symptoms of heat illness and injury, how to administer appropriate first aid measures, and how to report heat illness and injury to emergency medical personnel.
7. The posting of signage at the job site that contains information, in both English and Spanish, explaining how to (a) recognize and report signs and symptoms of heat illness and injury; (b) administer appropriate first aid measures, and (c) report heat-related illness and injury to emergency medical personnel. The signage must also include a phone number for reporting heat violations to OSHA/ADOSH.
8. Providing written notification to all employees and contract workers regarding their new worker protections under this provision. This notification shall be provided to existing employees and during the onboarding process for new employees. The notification shall be provided to each worker in the language preferred by that worker and must be posted in the workplace.

If you have any questions or if we can help in anyway please let us know and we will be happy to help.

Thank you,

[REDACTED]



[Redacted]

From: [Redacted]
Sent: Tuesday, July 23, 2024 9:58 AM
To: Heat Ordinance
Subject: 11.40 New Chapter feedback

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Heat Ordinance Comment

Good morning,

Reference subject line and initial review my considerations are noted below.

11.40.050 “on of this chapter, Contractor will be notified by the Department for remedy of such violation. If the Contractor, after notice of noncompliance, fails to demonstrate that it has taken appropriate corrective action for the breach, the Department will notify OSHA/ADOSH”

consider: on of this chapter, Contractor will be notified by the Department for remedy of such violation. If the Contractor, after notice of noncompliance, fails to demonstrate that it has taken appropriate corrective action for the breach, the Department will notify the County Procurement Officer and the OSHA/ADOSH

11.40.060 consider adding at end of sentence:

Proposed 1 ~ and may at the discretion of the County Department include services procured under 11.12.060 A.1.a.

Proposed 2 ~ and any services procured under 11.12.060 A.1.a.

Only other thing that comes to mind under 11.40.060 is do we need to add Tribal?

[Redacted]

[Redacted]

[REDACTED]

From: [REDACTED]
Sent: Tuesday, August 6, 2024 9:40 AM
To: Heat Ordinance
Subject: Support

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Heat Ordinance Comment

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

As a Pima County Resident I support such a plan. I do think guidelines for what is a reasonable plan would also be helpful in light of contractors tendency to exploit workers and promote 'tough guy' ideology.

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Tuesday, August 6, 2024 9:51 AM
To: Heat Ordinance
Subject: Heat ordinance plan

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Heat Ordinance Comment

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

I approve of The Pima County Board of Supervisors and the Pima County Health's Department proposed heat ordinance.

The initial set of guidelines to protect county employees and contractors who work in extreme temperatures is a good start. Perhaps staggered work hours could also be included in the plan as well as cooling centers set up where the employees and contractors are working.

Thank you,

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Tuesday, August 6, 2024 10:54 AM
To: Heat Ordinance
Subject: Heat ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Heat Ordinance Comment

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Until there are concrete guidelines from Pima County regarding how relief from the heat will be provided, the ordinance will not be effective. Needs to be more specific...what constitutes a cooling area, shaded area (many companies have only the shade from their trucks)...what constitutes adequate hydration...frequency and length of time employees are allowed to stop and rest in the shade, etc. Without specific guidelines, the companies will word their policies vaguely, resulting in no changes in what workers currently endure (which is what is happening under the vaguely worded OSHA policies).

Thank you for taking input.

[REDACTED]

From: [REDACTED]
Sent: Tuesday, August 6, 2024 11:02 AM
To: Heat Ordinance
Subject: Heat ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Heat Ordinance Comment

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

I strongly support the ordinance.
I am a retired resident of Pima County. I believe workers in high heat are doing very useful work.
They deserve the ordinance.
Thank you,
[REDACTED]

From: [REDACTED]
Sent: Tuesday, August 6, 2024 11:38 AM
To: Heat Ordinance
Subject: Heat Ordinance Comments

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Heat Ordinance Comment

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

So sorry, but I think this is lip service only. How many enforcers do you plan to hire to do spot checks? Most enforcers will probably end up with heat stroke themselves. As a person who lives without HVAC, the techniques I use to prevent heat stroke for myself and my animals - yes I am a Kat Lady but also a Dog Lady, Your ordinance will not work in a working environment especially those of a physical nature.

Out-of-the-box-suggestions.

It is not enough to protect only government workers and their contractors. There are companies that only care about their bottom line and, especially in non-skilled categories, workers for this type of company are expendable. All finalized heat deterrent work proposed as mitigating measures shall be adopted as OSHA requirements instead of an ordinance.. My suggestions are as follows:

1- From the May 30th until September 30th, all occupational work tasks that are performed outside. (more than 50% of the daily working hours) where HVAC cannot be provided shall be performed between the hours of 11PM and 7:30AM. If the work must be performed during daylight hours, work shall be performed before 1PM.

2- For the hours required in item #1, any site exceeding 90-degrees Fahrenheit or higher for one-hour, shall supply all workers with a cooling device of a non-toxic gel containing neckscarves and/or vests that are pre-frozen to 100% frozen state.

When the cooling device has returned to 85% gel state, it may be swapped out on-site for another device of 100% frozen state. These shall be kept at the ice station. Note: Workers should have a lightweight cotton shirt on to prevent skin from touching the device in order to eliminate freeze burn. NOTE I do this everyday and it is quite effective for preventing delirium. The chill feels great!)

3- Upon hire, each worker shall be provided with a 24oz., wide-mouthed water vessel intended to carry water. The wide-mouth provides a way to daily wash the vessel at the employee's home prior to the commencement of his/her work shift.

4- Thirty percent (30%) of any working crew must be certified by the American Red Cross or basic CERT training (Community Emergency Response Team under Homeland Security), regardless of rank within the company, for on-site emergency treatment as the Site Employee Rescue Worker (SERW). The employer shall pay the fees for the SERW, when applicable (CERT is a no-charge volunteer program) to attend the basic required program. The basic program shall have indepth training on dehydration and heat strokes.

5- Each worker shall be issued a minimum 12-ounces of chilled water every 90-minutes at their work station into their own pre-issued insulated water vessel.

6- Employers shall keep an ice station on-site where employees may obtain ice for their pre-issued insulated water vessels. An ice station may be insulated chests of ice w/ a scoop that have not melted beyond 25% of their solid state at any point during the designated work hours; it may be an electrical icemaker powered on site that is always in operational order.

7- Each ice station shall have a minimum of three (3) body bags at its location for crew over twenty people. One body bag must be on-site for crews under 20 people. The ice station must have at all times enough ice for the daily activities of the crew and to fill one body bag two-thirds full in case of an emergency. The ice station shall house an emergency kit as defined by CERT and both blood pressure and body thermometer to monitor vitals.

8- All required breaks and lunchtimes shall be provided as per jurisdiction required regulations.

9- A golf-sized umbrella with clamp shall be provided to any worker who requests it at any point during working hours or beginning of shift.

10- In the event of a heat stroke and any other emergency defined within OSHA, the essential service rescue workers (ESRW) shall be called immediately when the worker has been discovered to have suffered a heat stroke or other injury. The SERW shall ask another employee to contact the off-site employer or employee personnel headquarters and request that all personal and medical information on file for the victim be made available for transfer to ESRW.

The victim shall be placed immediately into an ice-filled body bag if injury is a heat stroke. A MINIMUM of one SERW with certified training shall remain with the victim until ESRW arrive at the incident.. Although trained, SERW's shall be treated, under the definitions of the law, as a good samaritan, but be required under employment to remain with the victim.

9- Upon arrival of ESRW, the designated SERW shall provide vital information to the ESRW. This shall be, but not limited to: body temperature taken from the time of placement in cooling bag and every subsequent three (3) minutes, blood pressure as per temperature monitoring, signs and indications victim experienced and how they changed over time, personal information of the victim, such as age, gender, any known health issues, family contacts and their addresses and phone numbers, name of personal doctor as per company records, and insurance cards or medical information from company records.

I submit these suggestions as both having trained in a basic program with the American Red Cross and having participated in two years of emergency training with CERT under Homeland Security's system of NIMS (National Incident Management System).

My best to you all to revising something so important to workers where we live to not only save lives, but protect human beings who are required to work to support their families or themselves from heat punishing levels of abuse; this affects ultimately the long-term quality of their lives and a prevention of healthcare costs to an already Covid-crippled healthcare system. Stop it at the source.

Thank you for your attention.



<https://www.fema.gov/emergency-managers/individuals-communities/preparedness-activities-webinars/community-emergency-response-team>

Who do you think all these good samaritans were on the ground running during the Boston Massacre a few years back? They were trained CERT volunteers who knew how to react in a mass casualty. The program works and youth are needed to learn how to be that successful. [?]

[Redacted]

From: [Redacted]
Sent: Tuesday, August 6, 2024 12:09 PM
To: Heat Ordinance
Subject: Public Feedback

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Heat Ordinance Comment

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Hello

I'm writing as a 35 year resident of Tucson. I am not in favor of this ordinance because I find it unnecessary. It looks like "feel good legislation" to me. We live in the desert and it's hot. Everybody knows this. The workers and their supervisors surely know best how to take care of themselves in this weather. Every work truck is loaded with huge thermoses full of ice, water and Gatorade type electrolyte beverages. It's common sense. We don't need another silly law. If the county truly believes that outdoor workers are unaware of proper self care or if they believe that supervisors are forcing workers to do things that put them under increased risk, create a training seminar at the beginning of the hot season. I would bet, however, that even that would be snickered at and resented by the county employees. We are not dealing with children. I oppose this ordinance.

[Redacted]

[REDACTED]

From: [REDACTED]
Sent: Tuesday, August 6, 2024 1:00 PM
To: Heat Ordinance
Subject: Proposed New Chapter 11.40

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Heat Ordinance Comment

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Good afternoon,

After reviewing the proposed wording of the newChapter 1.40, the following questions come to mind:

Should "heat-related illness" be defined? If defined elsewhere, should there be a reference to where the definition is cited or found?

Should "heat hazards" be defined? If defined elsewhere, should there be a reference to where the definition is cited or found?

Should the Contractor be given X business days (30, 60, 90) to comply before sanctions are permitted?

Kind regards,

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Tuesday, August 6, 2024 1:28 PM
To: Heat Ordinance
Subject: Heat Protection Ordinance for Outdoor Workers

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Heat Ordinance Comment

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Yes! Two yes votes from my household! Those poor devils are going to suffer more and more as climate change grows worse and we need to keep them safe.

[REDACTED]

From: [REDACTED]
Sent: Tuesday, August 6, 2024 3:53 PM
To: Heat Ordinance
Subject: Comments

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Heat Ordinance Comment

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

First of all, at 11.40.020 (1) line 2, "preventative" should be "preventive"

Secondly, why in the world do you need comments to decide about keeping people from dying?

Thank you

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Tuesday, August 6, 2024 4:38 PM
To: Heat Ordinance
Subject: Comment in Support of Proposed Heat Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Heat Ordinance Comment

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

I am writing in support of the Draft Ordinance to the Pima County Procurement Code relating to worker heat safety.

Pima County has long had days in which it is too hot to safely be outside for extended periods of time. This has been exacerbated by climate change. In addition to the direct impacts of heat, certain air pollutants like ground level ozone increase with increased heat. Heat and ozone exposure both have serious health impacts, best dealt with by limiting exposure. However, our region relies on outdoor workers who don't always have that option.

Pima County workers, including those hired on contract, make up a large part of the region's workforce. An ordinance ensuring that anyone paid by County tax dollars is protected from the impacts of heat, including exposure to heightened ozone levels, is a step in the right direction. It sends a strong message to the people of Pima County and other employers that we take human health and workers' rights seriously.

[REDACTED]