

Occupational Safety and Health Administration (OSHA) Regulation of Employee Exposure to Heat

Updated August 18, 2026

Employees who work outdoors, including those in industries such as construction and agriculture, may be exposed to extreme heat conditions. Similarly, certain indoor work locations—such as bakeries, warehouses, and steel mills—may also expose employees to unsafe heat levels. The lead federal agency that regulates worker safety and health, the Occupational Safety and Health Administration (OSHA), does not have any standards that specifically address outdoor or indoor heat exposure. On August 30, 2024, OSHA published a [Notice of Proposed Rulemaking \(NPRM\)](#) for a standard on “Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings.” H.R. 4443 and S. 2298, introduced in July 2025, would require OSHA to propose and promulgate a heat exposure standard. OSHA currently has a [National Emphasis Program \(NEP\)](#) of enforcement of the general duty clause and compliance assistance to focus on indoor and outdoor heat exposure.

Heat-Related Illnesses

The National Institute for Occupational Safety and Health (NIOSH) has identified [several illnesses that are related to heat exposure](#), including [heat stroke](#), which can result in permanent disability or death. Other heat-related illnesses include [heat exhaustion](#), [rhabdomyolysis \(rhabdo\)](#), [heat syncope](#), [heat cramps](#), and [heat rash](#). In 2024, the Bureau of Labor Statistics’ Census of Fatal Occupational Injuries [reported](#) 48 employment-related deaths due to environmental heat exposure and an average of 42 annual environmental heat exposure employment-related deaths between 2011 and 2024. Since 1972, NIOSH has [recommended](#) that OSHA promulgate a heat exposure standard. While [Section 22 of the Occupational Safety and Health Act](#) (OSH Act, 29 U.S.C. §671) authorizes NIOSH to develop recommended occupational safety and health standards, OSHA is not required by law to promulgate standards based on these recommendations.

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OSHA and Heat Exposure

OSHA does not currently have any specific heat exposure standards. In August 2024, OSHA published a [NPRM](#) for a standard on “Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings.” Over 43,000 [public comments](#) on the NPRM were submitted during the comment period, which ended on January 15, 2025. In June and July 2025, OSHA held a virtual [public hearing](#) on the NPRM and accepted additional public comments through October 30, 2025. To date, no further action has been taken by OSHA on this NPRM.

In 2011, OSHA launched a [heat illness prevention campaign](#) that includes guidance to employers and employees, a [smartphone app](#) that provides location-specific information on heat conditions and heat exposure prevention and first aid, and educational materials such as [posters and pamphlets](#) in English, Spanish, and other languages. An example of OSHA’s heat illness prevention graphics used in posters and other publications is provided in **Figure 1**.

General Duty Clause

In the absence of a specific standard, OSHA may enforce [Section 5\(a\) of the OSH Act](#) (29 U.S.C. §654(a)), commonly referred to as the “general duty clause,” which requires each employer to provide a workplace that is free of “recognized hazards” causing or likely to cause “death or serious physical harm” to its employees.

As an example of the use of the general duty clause to cite an employer for failing to protect employees from heat exposure, in March 2021, OSHA [cited](#) Valley Produce Harvesting and Hauling Company for a willful violation of the general duty clause by exposing sugar cane harvesting employees in Florida to “excessive heat, elevated temperature working conditions, direct sun radiation and thermal stress” while working outdoors in September 2020. OSHA assessed the maximum allowable civil monetary penalty of \$136,532 for this violation, which was later reduced through an informal settlement with the employer to \$81,919.20.

In its current [National Emphasis Program \(NEP\)](#) on indoor and outdoor heat exposure, OSHA reports that the agency conducted an average of 2,400 heat-related inspections of employers each calendar year between 2022 and 2025, making up 6% of all federal OSHA inspections during that period. OSHA reports that an average of 50 of these inspections each year during this period were inspections of possible workplace fatalities.

National Emphasis Program (NEP)

In April 2022, OSHA began an NEP ([2022 NEP](#)) of enforcement of the general duty clause and compliance assistance to focus on indoor and outdoor heat exposure. The 2022 NEP was cancelled and replaced with a new NEP ([2026 NEP](#)) in April 2026 that is in force through April 2031, unless cancelled or extended by a superseding OSHA directive. The 2026 NEP removed the 2022 NEP’s goal of having each OSHA [region](#) increase its number of annual heat-related inspections by 100% above the average level of heat-related inspections in FY2017-FY2021, and the 2026 NEP does not include a numeric goal for the number of heat-related inspections. The 2026 NEP also updated the list of industries with high heat hazards that are to be targeted by the NEP using more current injury and violation data, resulting in the removal of 46 industries from the target list, the retention of 33 industries, and the addition of 22 industries, for a net loss of 24 targeted industries.

State Occupational Safety and Health Standards

Section 18 of the OSH Act (29 U.S.C. §667) authorizes states to establish their own occupational safety and health plans and preempt standards established and enforced by OSHA. OSHA must approve state plans if they are “at least as effective” as OSHA’s standards and enforcement. Currently, [21 states and Puerto Rico](#) have state plans that cover all employers, and [six states and the U.S. Virgin Islands](#) have state plans that cover only state and local government employers not covered by the OSH Act. Four states—[California](#), [Maryland](#), [Nevada](#), and [Oregon](#)—have state occupational safety and health standards that cover both indoor and outdoor heat exposure. [Washington](#) has a state occupational safety and health standard that covers only outdoor heat exposure, while [Minnesota](#) has a state standard that covers only indoor heat exposure. [Colorado](#) does not have a state plan but does have a separate set of regulations that govern outdoor heat exposure in agriculture.

As was the case with the 2022 NEP, OSHA state plans are “strongly encouraged but are not required” to adopt the 2026 NEP.

Legislation to Require OSHA to Promulgate a Heat Exposure Standard

H.R. 4443 and S. 2298, both titled as the Asunción Valdivia Heat Illness and Fatality Prevention Act of 2025, would require OSHA to propose and promulgate a heat exposure standard. This standard would have to meet specific requirements outlined in the legislation. Both bills are named after Asunción Valdivia, a California farmworker who died from heat stroke in 2004.

Figure 1. OSHA Heat Illness Prevention Campaign Graphics

Work Safely in Heat

Indoor and outdoor workers are at risk for heat illness

Heat Illness Prevention

Heat Illness is preventable

Drink cool water

Take rest breaks

Find shade or a cool area

Wear light-colored loose-fitting clothing

Some equipment can increase heat exposure

Check on each other

If a worker experiences:

Headache or nausea

Weakness or dizziness

Heavy sweating

Hot/dry skin
High body temp.

Thirst

Decreased urine output

Take these actions:

- Drink water
- Remove unnecessary clothing
- Move to cooler area and use a fan
- Cool with water and ice
- Do not leave alone
- When in doubt, call 911

Signs of a medical emergency

Slurred Speech

Seizures

Abnormal thinking /behavior

Loss of consciousness

9-1-1

1. Call 911 immediately
2. Cool the worker right away with water or ice
3. Remove unnecessary clothing and give cool water to drink
4. Stay with the worker until help arrives

Plan Ahead and Be Prepared

Provide training on heat illness to all workers.
Have an emergency plan.

For more information: www.osha.gov/heat
1-800-321-OSHA (6742) www.osha.gov/workers
TTY 1-877-889-5627

Source: CRS, using graphics from Occupational Safety and Health Administration (OSHA) [heat illness prevention publications](#).

Note: These graphics are also available in Chinese, Korean, Portuguese, Spanish, and Vietnamese.

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