SENATE DOCKET, NO. 2120 FILED ON: 1/17/2025

SENATE . . . . . No. 1367

The Commonwealth of Massachusetts

PRESENTED BY:

Rebecca L. Rausch

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to prevent heat-related illness in public sector outdoor workers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Rebecca L. Rausch	*Norfolk, Worcester and Middlesex*	
Michael O. Moore	*Second Worcester*	*9/25/2025*

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SENATE . . . . . No. 1367

By Ms. Rausch, a petition (accompanied by bill, Senate, No. 1367) of Rebecca L. Rausch for legislation to establish a standard for prevention of heat illness in outdoor public sector workers. Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1219* OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act to prevent heat-related illness in public sector outdoor workers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 149 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after section 203 the following section:-

Section 204. (a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:

"Heat–related illness", means a serious medical condition resulting from the inability of the body to rid itself of excess heat, including heat rash, heat cramps, heat exhaustion, heat syncope and heat stroke.

"Heat stress", means the net load to which a worker is exposed from the combined contributions of metabolic heat, environmental factors and clothing worn results in an increase in

heat storage in the body, causing body temperature to rise and increasing the risk of heat-related illness.

(b) The department of labor standards shall promulgate regulations which include a standard establishing outdoor heat exposure levels for public employees which, if exceeded, trigger action to protect employees from heat-related illness, and shall monitor compliance with said regulations.

(c) Public employers shall develop, implement, and maintain a heat-related illness prevention plan for their employees. The plan shall be in writing in a language understood by a majority of employees, and shall be made available upon request by employees, employee representatives and representatives of the department of labor standards.

(1) Each plan shall include procedures and methods for the following:

(i) Initial and regular monitoring of employee worksite exposures that increase the risk of heat-related illness to determine whether an employee's exposure is or will become excessive;

(ii) Providing potable water;

(iii) Providing paid rest breaks and access to shade, cool-down areas, or climate-controlled spaces as needed to prevent heat-related illness;

(iv) Providing an emergency response plan for any employee with signs or symptoms of heat exhaustion or heat stroke;

(v) Acclimatizing employees as needed to prevent heat-related illness;

(vi) Administrative controls to limit exposure to excessive heat when appropriate;

(vii) Annual training and education for employees at risk of heat-related illness;

(viii) Record-keeping and reporting procedures for heat-related illness;

(ix) Training and education to employees who are supervisors, including training and education regarding proper procedures a supervisor is required to follow with respect to:

(A) Monitoring conditions at the worksite that may increase the risk of heat-related illness, the prevention of employee exposure to heat stress;

(B) Implementing procedures to reduce the risk of heat-related illness;

(C) Proper procedures, including emergency response procedures, to follow when an employee exhibits signs or reports symptoms consistent with possible heat-related illness;

(D) Each public employer shall adopt a policy prohibiting discrimination or retaliation against an employee for reporting a heat-related illness concern or seeking assistance or intervention for heat-related health symptoms.

SECTION 2. Not later than January 1, 2027, the department of labor standards shall adopt and implement the requirements in Section 1 as the state standard for preventing heat illness in outdoor workers. Public employers shall have 6 months from the date the standard is adopted before compliance is enforced. The attorney general shall enforce the provisions of this section.