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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO HEALTH AND SAFETY -- THE EXTREME TEMPERATURE WORKER
PROTECTION ACT

Introduced By: Representatives Morales, Sanchez, Cruz, Potter, Tanzi, and Cotter

Date Introduced: February 27, 2026

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 106

4 THE EXTREME TEMPERATURE WORKER PROTECTION ACT

5 **23-106-1. Short title.**

6 This chapter shall be known and may be cited as the "The Extreme Temperature Worker
7 Protection Act."

8 **23-106-2. Definitions.**

9 As used in this chapter, the following terms have the following meanings:

10 (1) "Acclimatization" means the body's temporary adaptation to work in the heat or cold
11 as a person is exposed to heat or cold gradually over time. Acclimatization reduces the strain caused
12 by heat stress or cold stress and enables individuals to work with less chance of heat illness or cold
13 illness or injury. Acclimatization peaks in most people within seven (7) to fourteen (14) days of
14 regular work for at least two (2) hours per day in the heat or cold.

15 (2) "Cold illness" means a serious medical condition resulting from the body's inability to
16 cope with cold temperatures and includes, but is not limited to, trench foot, frostbite, hypothermia,
17 and chilblains.

18 (3) "Cool-down area" means an indoor or outdoor area that is blocked from direct sunlight

1 and shielded from other high radiant heat sources and is either open to the air or provided with
2 ventilation or cooling. A cool-down area does not include a location where environmental risk
3 factors defeat the purpose of allowing the body to cool, where employees are exposed to unsafe or
4 unhealth conditions, or where employees are deterred or discouraged from accessing or using the
5 cool-down area.

6 (4) “Drinking water” means potable water that is safe to drink and is cool sixty-six degrees
7 Fahrenheit through seventy-seven degrees Fahrenheit (66°F - 77°F) or cold thirty-five degrees
8 Fahrenheit through sixty-five degrees Fahrenheit (35°F - 65°F) in temperature.

9 (5) “Emergency operations and essential service” means work in connection with an
10 emergency that requires the involvement of law enforcement, emergency medical services,
11 firefighting, rescue and evacuation operations, or emergency restoration of essential utilities or
12 telecommunications.

13 (6) “Employee” means any person providing labor or service within the scope of this
14 chapter for remuneration for a private entity or business within the state, without regard to an
15 individual’s immigration status and shall include, but not be limited to, private and public sector
16 workers, part-time workers, independent contractors, day laborers, farmworkers, and other
17 temporary and seasonal workers. The term shall also include individuals working for staffing
18 agencies, contractors or subcontractors on behalf of the employer at any individual worksite, as
19 well as any individual delivering goods or transporting people at, to or from the worksite on behalf
20 of the employer, regardless of whether delivery or transport is conducted by an individual or entity
21 that would otherwise be deemed an employer under this chapter.

22 (7) “Employer” means an individual, partnership, association, corporation, limited liability
23 company, business trust, legal representative, public entity, or any organized group acting as
24 employer within the scope of this standard.

25 (8) “Extreme cold temperature conditions” means working conditions where the work area
26 temperature equals or is below thirty degrees Fahrenheit (30°F).

27 (9) “Extreme heat conditions” means working conditions where the heat index of the work
28 area equals or exceeds ninety degrees Fahrenheit (90°F).

29 (10) “Heat illness” means a medical condition resulting from the body’s inability to cope
30 with a particular heat load and includes, but is not limited to, heat cramps, heat exhaustion, heat
31 syncope, and heat stroke.

32 (11) “Heat index” means a measure of how hot it feels when relative humidity is taken into
33 account along with the actual air temperature, which can be extrapolated from temperature and
34 relative humidity using the national weather service heat index calculator.

1 (12) “Increased risk factor” means that the initial heat trigger has been met and one of the
2 following conditions exist:

3 (i) An air quality advisory is in effect for the state or a locality or other area that includes
4 the work area;

5 (ii) A worker is scheduled or reasonably expected to work more than twelve (12) hours in
6 the workday or shift;

7 (iii) The employer or the safety protocols for equipment or work require the worker to wear
8 vapor-impermeable clothing or personal protective equipment, including protective jackets, suits,
9 or coveralls, thereby requiring an additional layer over regular clothes or covering all or almost all
10 of the head and face; or

11 (iv) The humidity level is above sixty-five percent (65%).

12 (13) “Indoor” or “indoors” means an area under a ceiling or overhead covering that restricts
13 airflow and has along its entire perimeter walls, door, windows, dividers, or other physical barriers
14 that restrict airflow, whether open or closed.

15 (14) “Initial cold trigger” or “initial cold temperature trigger” means a wind chill factor
16 that reaches thirty degrees Fahrenheit (30°F) with twenty mile-per-hour (20 mph) winds.

17 (15) “Initial heat trigger” means a heat index of eighty degrees Fahrenheit (80°F).

18 (16) “Shade” or “shaded areas” means blockage of direct sunlight, such that objects do not
19 cast a shadow in the area of blocked sunlight. Shade is not adequate when heat in the area of shade
20 defeats the purpose of shade, which is to allow the body to cool. For example, a car sitting in the
21 sun does not provide acceptable shade to a person inside it, unless the car is running with air
22 conditioning. Shade may be provided by any natural or artificial means that does not expose
23 employees to unsafe or unhealthy conditions and that does not deter or discourage access or use.

24 (17) “Outdoor worksite” means work performed by employees in an outdoor environment,
25 including locations to include sheds, tents, greenhouses, or other structures where work activities
26 are conducted inside, but the temperature is not managed by devices that reduce heat or cold
27 exposure and aid in heating or cooling, such as air conditioning systems or heaters.

28 (18) “Personal protective equipment” or “PPE” means equipment, gear, uniforms, or
29 clothing to protect the user against temperature injury or illness.

30 (19) “Wind chill factor” means the measure of how cold the air feels on human skin due to
31 the wind and temperature based on how quickly the body loses heat to the air.

32 **23-106-3. Scope.**

33 This chapter does not apply to:

34 (1) Incidental extreme temperature exposures in which an employee is not required to

1 perform work activities for more than fifteen (15) consecutive minutes per hour;

2 (2) Emergency operations and essential services that are necessary to protect life or
3 property; or

4 (3) Employees who work from home or from another remote location of the employee's
5 choosing.

6 **23-106-4. Temperature-related injury and illness prevention plan.**

7 (a) The employer shall develop and implement a written worksite temperature-related
8 injury and illness prevention plan ("TRIIPP") to prevent and reduce employee exposure to extreme
9 temperatures. The plan and related activities shall include, but not be limited to, the following:

10 (1) The policies and procedures necessary to comply with the requirements of this chapter;

11 (2) Identification of the temperature metrics and increased risk factors that the employer
12 will monitor to comply with the heat and cold safety requirements of this chapter; and

13 (3) Information on education and training including, but not limited to, emergency response
14 plans, procedures, and relevant worksite contacts in case of an emergency.

15 (b) The written TRIIPP shall be updated at least annually, when major work conditions
16 change, and when a temperature-related injury or incident occurs.

17 (c) An employer with ten (10) or more employees shall designate one or more temperature
18 safety coordinators to implement and monitor the TRIIPP. The name of each temperature safety
19 coordinator shall be documented in the TRIIPP and updated as necessary. The temperature safety
20 coordinator shall ensure compliance with all aspects of the TRIIPP.

21 **23-106-5. Heat-stress specific standards.**

22 (a) The employer shall comply with the following requirements when employees are in an
23 indoor or outdoor worksite and experiencing conditions at or exceeding the initial heat trigger:

24 (1) The employer shall closely monitor temperatures and implement its workplace TRIIPP.
25 If an employee exhibits signs or reports of symptoms of heat illness, the employers shall
26 immediately provide appropriate first aid or emergency response.

27 (2) The employer shall provide access to drinking water located as close as practicable to
28 where employees are working. If drinking water is not plumbed or otherwise continuously supplied,
29 it shall be provided in sufficient quantity so that a minimum of thirty-two (32) ounces of drinking
30 water per hour is available per employee.

31 (3) The employer shall allow and encourage preventative cool-down break in a cool-down
32 area of no less than ten (10) minutes, in addition to the time needed to access the cool-down area,
33 as needed and at any time the employee feels the onset of heat illness.

34 (i) Employees who take a preventative cool-down break shall be monitored and asked about

1 symptoms of heat illness.

2 (ii) Employees shall be encouraged to remain in the cool-down area and shall not be
3 ordered back to work until any signs or symptoms of heat illness have abated.

4 (iii) Employees shall be compensated for their time spent on a preventative cool-down
5 break. The preventative cool-down breaks required by this section may be provided concurrently
6 with any other meal or rest period required by policy, rule or law if the timing of the preventative
7 cool-down break coincides with an otherwise required meal or rest period. Except when such period
8 coincides with an existing unpaid meal break, the preventative cool-down break shall be considered
9 a work assignment and shall be compensated accordingly.

10 (4) The employer shall ensure that adequate access to shade is available when temperatures
11 reach or exceed the initial heat trigger.

12 (i) Employees shall have access to shade as close as practicable to the worksite.

13 (ii) The amount of shade shall be at least enough to accommodate the number of employees
14 on recovery or rest breaks, with a minimum of four square feet (4 sq. ft.) per resting employee.

15 (5) The employer shall provide, at no cost to the employee and to the extent practicable,
16 the necessary personal protective equipment to withstand temperatures at or about the initial heat
17 trigger.

18 (6) Employees who spend more than sixty (60) minutes per day or shift in employer-
19 provided vehicles, or whose worksite is considered an employer-provided vehicle, shall be
20 provided with adequate air conditioning inside such vehicle. The air conditioning shall be
21 maintained in accordance with to the manufacturer's instructions and shall be capable of keeping
22 temperatures below eighty degrees Fahrenheit (80°F).

23 (7) The employer shall provide time for acclimatization of new and returning employees.

24 (i) New employees and existing employees newly assigned to heat work, or absent from
25 heat work for more than seven (7) days, shall work only twenty percent (20%) of their normal
26 duration of their first day and shall gradually increase work duration over a two (2) week period.

27 (b) The employer shall implement high heat procedures when employees are in an outdoor
28 or indoor worksite and experiencing extreme heat conditions.

29 (1) The employer shall ensure that each employee takes a minimum ten (10) minute net
30 preventative cool-down break every two (2) hours.

31 (i) Employees shall be compensated for their time spent on a preventative cool-down break.
32 The preventative cool-down breaks required by this section may be provided concurrently with any
33 other meal or rest period required by policy, rule or law if the timing of the preventative cool-down
34 break coincides with an otherwise required meal or rest period. Except when such period coincides

1 with an existing unpaid meal break, the preventative cool-down break shall be considered a work
2 assignment and shall be compensated accordingly.

3 (2) When the temperature equals or exceeds one hundred degrees Fahrenheit (100°F), the
4 employer shall ensure that each employee takes a minimum fifteen (15) minute net preventative
5 cool-down break every hour.

6 (i) Employees shall be compensated for their time spent on a preventative cool-down break.
7 The preventative cool-down breaks required by this section may be provided concurrently with any
8 other meal or rest period required by policy, rule or law if the timing of the preventative cool-down
9 break coincides with an otherwise required meal or rest period. Except when such period coincides
10 with an existing unpaid meal break, the preventative cool-down break shall be considered a work
11 assignment and shall be compensated accordingly.

12 (3) Before a work shift, or upon determining that the high heat trigger has been met or
13 exceeded, the employer shall notify workers of the following:

- 14 (i) The importance of drinking plenty of water;
- 15 (ii) Employees' right to take rest breaks; and
- 16 (iii) How to seek help and the procedures to follow in a heat emergency.

17 **23-106-6. Cold-stress specific standards.**

18 (a) An employer shall comply with the following requirements when employees are in an
19 outdoor or indoor worksite and experiencing conditions at or below the initial cold trigger:

20 (1) The employer shall closely monitor temperature and implement its workplace TRIIPP.
21 If an employee exhibits signs or reports symptoms of cold illness, the employer shall immediately
22 provide appropriate first aid or emergency response.

23 (2) The employer shall provide access to drinking water located as close as practicable to
24 where employees are working. If drinking water is not plumbed or otherwise continuously supplied,
25 it shall be provided in sufficient quantity so that a minimum of thirty-two (32) ounces of drinking
26 water per hour is available per employee. Drinking water shall not be frozen.

27 (3) The employer shall allow and encourage preventative warm-up breaks of no less than
28 ten (10) minutes every two (2) hours and at any time a worker feels the onset of cold illness.
29 Preventative breaks may include access to warmth.

30 (i) Employees who take a preventative warm-up break shall be monitored and asked
31 whether they are experiencing signs or symptoms of cold illness.

32 (ii) Employees shall be encouraged to remain in the warmth and shall not be ordered back
33 to work until any signs or symptoms of cold illness have abated.

34 (iii) Employees shall be compensated for their time spent on a preventative warm-up break.

1 The preventative warm-up breaks required by this section may be provided concurrently with any
2 other meal or rest period required by policy, rule or law if the timing of the preventative warm-up
3 break coincides with an otherwise required meal or rest period. Except when the timing of the
4 preventative warm-up break coincides with the existing unpaid meal break, the preventative warm-
5 up break shall be considered a work assignment and shall be compensated accordingly.

6 (4) The employer shall provide employees with access to warmth as follows:

7 (i) A heated indoor area shall be made available to workers as close as practicable to the
8 work areas; or

9 (ii) Where the employer can demonstrate that it is infeasible or unsafe to provide a heated
10 indoor area, or otherwise to provide a heated area on a continuous basis, the employer may utilize
11 alternative procedures for providing access to warmth; provided that, such alternative procedures
12 offer equivalent protection.

13 (5) The employer shall provide, at no cost to the employee and to the extent practicable,
14 the necessary personal protective equipment to withstand temperatures at or below the initial cold
15 temperature trigger.

16 (6) Employees who spend more than sixty (60) minutes per day or shift in employer-
17 provided vehicles, or whose worksite is considered an employer-provided vehicle, shall be
18 provided with an adequate heating system inside such vehicle. The heating system shall be
19 maintained in accordance with the manufacturer's instructions and shall be capable of maintaining
20 temperatures above sixty degrees Fahrenheit (60°F).

21 (b) The employer shall comply with the following requirements when employees are in an
22 outdoor or indoor worksite and experiencing extreme cold temperature conditions:

23 (1) The employer shall ensure that the employee takes a minimum ten (10) minute net
24 preventative warm-up break every two (2) hours.

25 (i) Employees shall be compensated for their time spent on a preventative warm-up break.
26 The preventative warm-up breaks required by this section may be provided concurrently with any
27 other meal or rest period required by policy, rule or law if the timing of the preventative warm-up
28 break coincides with an otherwise required meal or rest period. Except when the timing of the
29 preventative warm-up break coincides with the existing unpaid meal break, the preventative warm-
30 up break shall be considered a work assignment and shall be compensated accordingly.

31 (2) The employer shall ensure that if an employee's skin, clothing or personal protective
32 equipment becomes wet, the employee is immediately removed from the work area and taken to a
33 warm-up area. The employee shall have the wet clothing or personal protective equipment removed
34 and shall not to return to work until the items are dry or have been replaced.

1 (3) The employer shall provide appropriate personal protective equipment to ensure that
2 employees' ears, face, hands, and feet are protected in extreme cold temperatures.

3 **23-106-7. Training.**

4 (a) Pursuant to a program established in furtherance of the provisions of § 23-106-4(a)(3),
5 employers shall require supervisors and managers to:

6 (1) Complete the department of health's online public tutorial program quarterly to
7 recognize the signs of overexposure to hot and cold temperatures, including injuries and illness
8 caused by extreme temperatures;

9 (2) Ensure that appropriate personal protective equipment is available, to include hats,
10 gloves, winter coats, cooling vests, and sunscreen, as appropriate for the extreme temperatures; and

11 (3) Ensure that heating and cooling equipment is maintained and functional.

12 (b) Free and effective training on temperature safety shall be provided quarterly to
13 employees who work in warehouses, in vehicles, or outdoors including, but not limited to,
14 construction sites, farms, vineyards, and recreation and fishing sites. This training shall occur
15 during work hours and include the following elements:

16 (1) Informing and assisting employees in identifying the risk factors, signs, and symptoms
17 of cold stress and heat-related illness, as well as the appropriate medical responses;

18 (2) Informing employees of the paid rest breaks, adequate shade, warming or cooling
19 stations, drinking water, personal protective equipment, heating and cooling equipment, and other
20 protections which shall be provided;

21 (3) Outlining and clarifying the employer's procedures for monitoring temperature
22 conditions and providing workers with the ability to participate in the monitoring process; and

23 (4) Demonstrating the proper use of personal protective equipment, to include hats, gloves,
24 winter coats, cooling vests, sunscreen, and related protective equipment.

25 (c) The department of health shall create and implement an online public tutorial program
26 for supervisors and managers that:

27 (1) Teaches them to recognize the signs of overexposure to hot and cold temperatures,
28 including injuries and illnesses caused by extreme temperatures; and

29 (2) Instructs them on ensuring that appropriate personal protective equipment is available,
30 including hats, gloves, winter coats, cooling vests, and sunscreen, as appropriate for extreme
31 temperatures.

32 **23-106-8. Recordkeeping.**

33 Every employer shall collect and maintain data and records as required on all temperature-
34 related illnesses and fatalities which occur at an outdoor or indoor worksite.

1 **23-106-9. Retaliation prohibited.**

2 (a) An employer shall not discharge, threaten, or otherwise discriminate or retaliate against
3 an employee or any other person for asserting, supporting, reporting, or participating in or being
4 asked to participate in the investigation or determination of claim violation or actionable under this
5 chapter.

6 (b) Violations of subsection (a) shall be an unlawful employment practice as set forth in §
7 28-5-7.

8 **23-106-10. Rules and regulations.**

9 (a) The department of health, in consultation with the department of attorney general, may
10 promulgate rules and regulations deemed necessary to carry out the provisions of this chapter.

11 **23-106-11. Enforcement.**

12 (a) The inspection, enforcement, and penalties for violations of the provisions of this
13 chapter shall be in accordance with the provisions and procedures set forth in §§ 23-1-19 through
14 23-1-25. In addition, the enforcement powers set forth in §§ 23-1.1-7 through 23-1.1-16 shall apply
15 and shall be in addition to, and not in limitation of, any other provisions of the general laws
16 pertaining to enforcement of the laws of this state.

17 (b) Whenever the attorney general has reason to believe that any employer, or its agent, is
18 using, has used, or is about to use any method, act, or practice declared to be unlawful by this
19 chapter, and that proceedings would be in the public interest, the attorney general may bring an
20 action in the name of the state against the employer, or its agent, to restrain by temporary or
21 permanent injunction the use of the method, act, or practice, upon the giving of appropriate notice
22 to that person and to seek any other relief that may be appropriate.

23 **23-106-12. Severability.**

24 If any provision of this chapter or any rule or regulation promulgated pursuant to the
25 provisions of this chapter, or its application to any person or circumstance, is held invalid by a court
26 of competent jurisdiction, the remainder of the chapter, rule, or regulation and the application of
27 such provision to other persons or circumstances shall not be affected thereby. The invalidity of
28 any section or sections or portion of any section of this chapter shall not affect the validity of the
29 remainder of this chapter.

30 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO HEALTH AND SAFETY -- THE EXTREME TEMPERATURE WORKER
PROTECTION ACT

1 This act would require employers to protect workers from extreme heat and cold by
2 implementing safety plans, providing paid rest breaks, shade or warmth, drinking water, and
3 protective equipment, ensuring training, and recordkeeping.

4 This act would take effect upon passage.

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