

2024 -- H 7650

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- FAIR EMPLOYMENT PRACTICES -
- EXTREME TEMPERATURE EMPLOYEE PROTECTION

Introduced By: Representatives Morales, Slater, DeSimone, McGaw, Henries, Handy,
Fogarty, Bennett, Stewart, and McNamara

Date Introduced: February 15, 2024

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 28-5 of the General Laws entitled "Fair Employment Practices" is
2 hereby amended by adding thereto the following section:

3 **28-5-44. Extreme temperatures employee protection.**

4 (a) As used herein, the term "extreme temperatures" means temperatures at or above ninety
5 degrees (90°) Fahrenheit, or at or below thirty-two degrees (32°) Fahrenheit.

6 (b) Employers shall implement plans to prevent and reduce exposure of employees to
7 extreme temperatures. These plans shall include the following:

8 (1) Employees shall have access to paid rest breaks, adequate shade, warming or cooling
9 stations, drinking water, personal protective equipment, and other protections from extreme
10 temperatures in regard to heat and cold.

11 (2) Supervisors and managers shall:

12 (i) Be trained quarterly to recognize the signs of overexposure to hot and cold temperatures,
13 such as injuries and illnesses caused by extreme temperatures, and ensure that appropriate personal
14 protective equipment is available such as hats, gloves, winter coats, cooling vests, and sunscreen
15 as appropriate for the extreme temperatures; and

16 (ii) Ensure that heating and cooling equipment is maintained and functional.

17 (3) Further protections shall be established for employees who work in vehicles and are
18 exposed to extreme temperatures. Employees who spend more than sixty (60) minutes in vehicles,

1 or whose workplace is considered a vehicle, shall have adequate insulation and heating/cooling
2 equipment within the vehicle to protect the occupants from extreme heat or cold.

3 (4) Further protections shall be established for employees who work in a warehouse and
4 are exposed to extreme temperatures. Employees who spend more than sixty (60) minutes in a
5 warehouse, or whose workplace is considered a warehouse, shall have adequate insulation and
6 heating/cooling equipment within the warehouse to protect the employees from extreme heat or
7 cold.

8 (5) Further protections shall be established for employees who work outdoors, including,
9 but not limited to, construction sites, farms, vineyards, recreation, and fishing sites, and who are
10 exposed to extreme temperatures. Employees who spend more than sixty (60) minutes outdoors, or
11 whose workplace is considered outdoors, shall have adequate heating and cooling equipment within
12 the working space to protect the employees from extreme heat or cold.

13 (6) Free and effective training for employees on temperature safety shall be provided. This
14 training shall take place quarterly during work hours and include the following elements:

15 (i) Inform and assist employees to identify the risk factors, signs, and symptoms of cold
16 stress and heat related illnesses and the necessary medical responses;

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

20 (iii) Outline and clarify the employer's procedures for monitoring temperature conditions
21 and provide workers with the ability to participate in the monitoring process; and

22 (iv) Demonstrate the proper use of personal protective equipment, such as hats, gloves,
23 winter coats, cooling vests, sunscreen, and related protective equipment.

24 (c) For any employer to discharge employees or discriminate against them resulting from
25 the failure of an employer to implement or perform any of the duties required by this section shall
26 be an unlawful employment practice in addition to the provisions of § 28-5-7.

27 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 LABOR AND LABOR RELATIONS -- FAIR EMPLOYMENT PRACTICES -
- EXTREME TEMPERATURE EMPLOYEE PROTECTION

1 This act would require employers to take certain actions to protect their employees who
2 are exposed to extreme hot and cold temperatures, such as vehicle drivers, warehouse employees,
3 and employees who work outdoors. The failure of the employer to implement or perform any of
4 those actions would be an unlawful employment practice.

5 This act would take effect upon passage.

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