

House Bill 1071

By: Representatives Schofield of the 63rd, McClain of the 109th, Davis of the 87th, Scott of the 76th, Holly of the 116th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 34 of the Official Code of Georgia Annotated, relating to the
2 Department of Labor, so as to provide for protections for employees from occupational heat
3 exposure; to provide for definitions; to require employers to implement heat illness
4 prevention programs; to provide for exemptions; to provide for the Department of Labor to
5 launch a public awareness campaign; to provide for multilingual information and templates
6 to be made available on the department website; to provide for enforcement and civil
7 monetary penalties; to provide for settlement agreements and corrective action plans; to
8 provide for the establishment of a grant program; to provide for annual reporting; to provide
9 for data collection and sharing; to provide for rules and regulations; to provide for related
10 matters; to provide for a short title; to provide for legislative findings; to repeal conflicting
11 laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 This Act shall be known and may be cited as the "Georgia Workplace Safety and Heat
15 Protection Act."

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SECTION 2.

16

17 The General Assembly finds that:

18 (1) Extreme heat poses significant risks to workers, including heat rash, heat cramps, heat
19 syncope, rhabdomyolysis, heat exhaustion, heat stroke, and death;20 (2) Outdoor and indoor workers in high-temperature environments are disproportionately
21 affected by extreme heat, particularly in agriculture, landscaping, construction,
22 manufacturing, and warehousing sectors;23 (3) Occupational heat exposure can occur in urban areas, primarily due to less vegetation
24 and more asphalt and concrete, and in rural areas, primarily due to strenuous physical labor
25 and lack of availability of emergency healthcare;26 (4) Federal legislation is not, at present, sufficient to protect Georgia workers from
27 extreme heat workplace conditions; and28 (5) Legislation in this state is needed to protect workers from extreme heat workplace
29 conditions.**SECTION 3.**

30

31 Chapter 2 of Title 34 of the Official Code of Georgia Annotated, relating to the Department
32 of Labor, is amended by adding a new Code section to read as follows:33 "34-2-10.1.34 (a) As used in this Code section, the term:35 (1) 'Commissioner' means the Commissioner of Labor of the State of Georgia.36 (2) 'Dangerous heat index trigger' means conditions when the heat index exceeds 90
37 degrees Fahrenheit or other thresholds as determined by rules and regulations
38 promulgated by the federal Occupational Safety and Health Administration and in effect
39 on January 1, 2026.40 (3) 'Department' means the Department of Labor.

41 (4) 'Employee' means any person who works for salary, wages, or other remuneration for
42 an employer.

43 (5) 'Employer' means any natural person or organization with employees covered under
44 the federal Occupational Safety and Health Act of 1970 in effect on January 1, 2026.

45 (6) 'Extreme heat environment' means conditions when the heat index exceeds 80
46 degrees Fahrenheit or a Wet Bulb Globe Temperature in excess of 78.8 degrees
47 Fahrenheit.

48 (7) 'Heat illness' means any medical condition resulting from the inability of the body to
49 cope with a particular heat load. Such term includes but is not limited to heat rash, heat
50 cramps, heat syncope, rhabdomyolysis, heat exhaustion, and heat stroke.

51 (8) 'Heat illness prevention program' means a program designed to mitigate heat related
52 risks and heat illnesses in employees through prevention, training, and emergency
53 response protocols provided by employers.

54 (9) 'High-risk worker' means any worker who is new to a job requiring physical labor
55 under extreme heat conditions, pregnant or postpartum, over the age of 60, or diagnosed
56 with a chronic illness affecting thermoregulation, including cardiovascular, renal,
57 respiratory, or endocrine conditions.

58 (10) 'Initial heat index trigger' means conditions when the heat index exceeds 80 degrees
59 Fahrenheit or other thresholds as determined by rules and regulations promulgated by the
60 federal Occupational Safety and Health Administration in effect on January 1, 2026.

61 (11) 'Large employer' means any person or entity that employs more than 25 full-time
62 equivalent employees. Such term shall include the State of Georgia and its political
63 subdivisions and instrumentalities.

64 (12) 'Micro-business' means any person or entity that employs five or fewer full-time
65 equivalent employees.

66 (13) 'Nonprofit employer' means an organization that is exempt from taxation under the
67 provisions of Section 501(c)(3) of the United States Internal Revenue Code and that
68 employs one or more employees.

69 (14) 'Seasonal business' means any person or entity that operates for fewer than 180 days
70 per year.

71 (15) 'Small business' means any person or entity that employs between six and 25
72 full-time equivalent employees.

73 (16) 'Wet Bulb Globe Temperature' means a measure of the combined effect of air
74 temperature, air speed, humidity, and radiation.

75 (b) On or before January 1, 2027, all small businesses and large employers and, on or
76 before January 1, 2028, all micro-businesses, seasonal businesses, and nonprofit employers
77 shall implement a heat illness prevention program to protect employees of such employers
78 when working in an extreme heat environment. Such program shall distinguish precautions
79 required for initial heat index triggers, such as providing water, access to shade, and
80 awareness training, and precautions required for dangerous heat index triggers, such as
81 mandatory rest breaks, active monitoring, observation systems, and heat hazards alerts, as
82 established by the department in rules and regulations. Such program shall require such
83 employers to provide, at a minimum, the following:

84 (1) A written heat illness prevention plan, and such plan and any relevant signage and
85 training shall be provided in English and the next most common language predominantly
86 used by employees;

87 (2) Immediate access to free water, immediate access to and extended time within shaded
88 rest areas or areas away from an extreme heat environment, and mandatory, paid rest
89 breaks;

90 (3) Regular risk assessments of the work environment and jobs to identify and mitigate
91 heat hazards in the workplace and annual risk assessments of all employees and more

92 frequent risk assessments of high-risk workers to reduce personal risk factors for heat
93 illnesses;

94 (4) An emergency response protocol for heat illnesses, including the provision of
95 immediate medical attention and evacuation procedures; and

96 (5) Training of supervisors and employees on heat illness awareness and prevention.
97 Such training shall include recognition of heat illness symptoms, heat illness prevention,
98 emergency response protocols, and incident reporting.

99 (c) Micro-businesses, seasonal businesses, and nonprofit employers with fewer than five
100 employees may request an exemption from the requirements provided in subsection (b) of
101 this Code section.

102 (d) The department shall promote public awareness of hazards relative to extreme heat
103 environments in the workplace, recommend best practices for employees and employers,
104 and shall provide downloadable templates of checklists for heat illness prevention
105 programs, multilingual heat safety posters, and multilingual training materials to support
106 compliance with the provisions of this Code section on the department website.

107 (e) The department shall monitor compliance with the provisions of this Code section
108 through random inspections of workplace environments and by the investigation of
109 complaints filed with the department.

110 (f) The Commissioner shall have the authority to impose civil monetary penalties of up to
111 \$2,500.00 for each act in violation of this Code section and of up to \$5,000.00 for each act
112 in violation of this Code section if the employer knew or reasonably should have known
113 that such employer was in violation of this Code section. The Commissioner is authorized
114 to enter into settlement agreements and corrective action plans with employers to resolve
115 compliance issues and secure safe working conditions for employees.

116 (g) Subject to appropriations, the department shall establish a grant program for the
117 purpose of distributing grants to support employers in rural counties with compliance with
118 the provisions of this Code section.

119 (h) No later than December 31, 2027, and annually thereafter, the Commissioner shall
120 submit a report to the chairpersons of the House Committee on Industry and Labor and the
121 Senate Insurance and Labor Committee on the implementation and effect of this Code
122 section, including data on emergency room visits by employees attributed to heat illnesses,
123 heat illness workers' compensation claims, and occupational deaths due to heat illness,
124 disaggregated by region, industry, employer type, and worker status. All relevant state
125 agencies and employers shall cooperate in collecting and sharing data necessary for the
126 preparation of the reports required by this subsection.
127 (i) The department shall promulgate rules and regulations necessary to implement the
128 provisions of this Code section."

129 **SECTION 4.**

130 All laws and parts of laws in conflict with this Act are repealed.