January 14, 2025

Mr. Douglas L. Parker
Assistant Secretary of Labor for Occupational Safety and Health
US Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Docket ID # OSHA-2021-0009

RE: Notice of proposed rulemaking re: Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings

Dear Assistant Secretary Parker:

This letter is in response to the notice of proposed rulemaking regarding the Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings.

GCSAA is the professional association for the men and women who manage and maintain the game's most valuable resource — the golf course. The golf industry recognizes the association as a key contributor in elevating the game and business. Since 1926, with a focus on golf course management, GCSAA has been the top professional association in the United States and worldwide. Headquartered in Lawrence, Kan., it provides education, information and representation to more than 20,000 members in more than 72 countries. Its mission is to serve its members, advance their profession and improve communities through the enjoyment, growth and vitality of the game of golf.

Managing heat stress and minimizing heat-related illnesses are a responsibility in golf maintenance, especially during the hot summer months. Golf course superintendents take seriously the health and safety of their employees. They understand the importance of making sure that employees are aware of what heat stress is, how to avoid and detect it, as well as what to do in the case that someone suffers from a heat-related illness. They are mindful that heat related injury and illness may occur in both outdoor and indoor settings. Golf course superintendents are committed to providing a safe working environment and consider ensuring workers do not succumb to heat-related illness or injury as part of their best management practices at the facility.

Golf courses prevent heat-related illnesses and injuries in a myriad of ways. Some of these proactive measures include heat illness training, limiting the amount of time employees are required to work under hot conditions, assigning staff to less strenuous work or work in shady areas during the hottest days and providing employees with liquids and electrolyte beverages.

Golf Course Superintendents Association of America
1421 Research Park Drive
Lawrence KS 66049-3859
Tel 800.472.7878

Golf course superintendents are modifying work schedules and rotations to decrease the amount of exertion required during hot days, and allow for frequent water breaks in well-ventilated, cool, or air-conditioned areas. Golf course superintendents also identify crew members who may be more susceptible to heat illnesses. Crew members who have a higher risk of falling ill will require special attention. These crew members must pay extra attention to symptoms of heat illness and maintain their hydration at all times.

Several GCSAA members participated as Small Entity Representatives (SERs) in OSHA's Small Business Advocacy Review Panel meetings in September 2023 to share their views on the potential effects of a federal heat injury and illness standard on golf operations and small businesses. These comments reiterate some of the feedback given to the agency previously and comment on specifics in the current proposal.

Implementation of control measures at Initial Heat Trigger and then High Heat Trigger

In the proposal, OSHA asks whether the agency should consider other values for the initial and high heat trigger and the appropriateness of using heat index to define the initial and high heat triggers. If OSHA is to move forward with a federal heat injury and illness prevention standard, golf course superintendents share they are not in favor of a two-temperature trigger system. In order to make a standard simpler and to support overall compliance, they suggest that when the National Weather Service in their local area issues a heat advisory/warning, which should trigger any new control measures to prevent heat related illness or injury. Each NWS Forecast Office issues Excessive Heat Outlooks, Heat Advisory, Excessive Heat Watches and Excessive Heat Warnings as local conditions warrant. Golf course superintendents constantly monitor these NWS forecasts to alert their staff to upcoming weather conditions and instruct their teams on increased heat stress related measures. Before any federal standard is finalized by OSHA, a regional/localized approach to heat triggers is preferred to establishing a specific number(s) as outlined in the proposal.

Further, a heat wave is not the same in all locations, as the definition of a heat wave varies depending on the local climate and typical weather conditions, meaning a temperature considered "hot" in one area might not be considered a heat wave in another place with different average temperatures; factors like humidity also play a significant role in how a heat wave feels in different locations. Golf course superintendents question the temperature of 80 degrees as the Initial Heat Trigger and 90 degrees as the High Heat Trigger. Again, a one size fits all approach in regard to heat triggers is not advisable given the differences in climate around the country and the differences in the tolerance to heat of individuals working at the golf property.

Regarding the treatment of indoor work settings, golf course superintendents believe a maintenance shop is more closely aligned or related to the outdoor work environment. Most maintenance shops are an extension of the outdoor work environment. They are work pavilions that have large garages and spaces that store equipment, which have doors open all day allowing for the movement of equipment. These open doors also allow for movement of air to enter and exit. Many do not consider working in an unconditioned shop, with the doors rolled up, to be an indoor job necessarily. In those cases, any outdoor

controls would more suitably apply. It seems appropriate to have an exception to the indoor rule for workspaces that have a direct connection to the outdoor environment (meaning large open doors or windows) and this needs to be further evaluated by the agency.

Requirements at or above the High Heat Trigger

This proposal triggers additional control measures at or above the High Heat Trigger of 90 degrees. If a federal heat injury and illness standard were to move forward in the rulemaking process – that includes either an Initial Heat Trigger and a High Heat Trigger, or reliance on a National Weather Service advisory/alert (as stated above - preferred) – golf course superintendents have questions related to the applicability of mandatory rest breaks of 15 minutes at least every two hours.

- Would an employee who is operating a riding mower, utility vehicle or tractor with a roof over it be required to take the mandatory rest breaks? Is that considered shade?
- If the employee is operating an air-conditioned machine with a cab, are they required to stop for the 15-minute break?
- We suggest that there would be situations when employers should be permitted to use equipment as shade.

Acclimatization

This proposed federal heat injury and illness standard would require employers implement one of two options for an acclimatization protocol for ***returning employees*** during their first week on the job after being away from the level of high heat for 14 days. 1) The first option is an employer- developed plan, that at a minimum, includes the measures that would be required for new employees whenever the initial heat trigger is met or exceeded, during the employee's first week of returning to work. 2) The second option requires gradual exposure to heat at or above the initial heat trigger to allow for acclimatization to the heat conditions of the workplace. The gradual exposure protocol would restrict employee exposure to heat to no more than 50% of a normal work shift exposure duration on the first day of work, 60% on the second day of work, and 80% of the third day of work.

This part of the proposal is of concern to golf course superintendents as it also appears to be a rigid one-size fits all approach and could be difficult to comply with. It does not appear to consider long-term, returning employees who may have been away from the property for planned vacations (potentially to warmer climates), FMLA leave, college site visits or other extended personal or business travel, etc. There needs to be more flexibility in terms of acclimatization of workers, especially returning workers, which are industry specific and have regional variations.

Conclusion

Thank you for allowing GCSAA to submit the above comments to the agency. Golf course superintendents understand they have a legal and proper obligation to train their crew and to do their best to prevent the crew from experiencing heat-related illnesses. Protection of all workers is paramount.

Golf Course Superintendents Association of America
1421 Research Park Drive
Lawrence KS 66049-3859
Tel 800.472.7878

GCSAA provides education and information to its members on how to provide a safe and healthy workplace and how to address heart-related challenges.

GCSAA urges you to consider the comments of the U.S. Small Business Administration Office of Advocacy which reflect many of the same concerns as the association. GCSAA also recommends that OSHA reassess the proposed rule and consider alternative approaches that will achieve its statutory objectives while minimizing the impacts on small entities. GCSAA supports OSHA reassessing the proposed rule and providing greater flexibility and potentially different standards for entities of different sizes, sectors, and regions.

If a federal standard related to heat injury and illness prevention were to move forward, GCSAA and its members recommend a simple rule to support compliance and not place the employer in legal jeopardy because of its construct. GCSAA especially wants to see any final rule provide the maximum flexibility possible and to not adopt a "one size fits all" approach.

Again, we ask the agency to work with GCSAA and its members to ensure our mutual goals to protect employers and employees at job sites around the country. Please contact me at (800) 472-7878, ext. 3619 or cmckeel@gcsaa.org if you have additional questions or if you need additional information.

Sincerely,

Chava E. McKeel

Chava E. McKeel
GCSAA Director, Government Affairs

Golf Course Superintendents Association of America
1421 Research Park Drive
Lawrence KS 66049-3859
Tel 800.472.7878