

REFERENCE TITLE: **working conditions; heat illness; prevention**

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
Second Regular Session  
2024

## **HB 2683**

Introduced by

Representatives Sandoval: Aguilar, Austin, Blattman, Contreras P, Crews,  
De Los Santos, Gutierrez, Hernandez A, Mathis, Ortiz, Pawlik, Peshlakai,  
Schwiebert, Seaman, Stahl Hamilton, Terech, Travers, Tsosie, Villegas;  
Senator Hernandez

AN ACT

AMENDING TITLE 23, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 23-207; AMENDING SECTION 23-405, ARIZONA REVISED STATUTES;  
RELATING TO WORKING CONDITIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 23, chapter 2, article 1, Arizona Revised  
3 Statutes, is amended by adding section 23-207, to read:

4 23-207. Heat illness prevention; private right of action;  
5 rules; definitions

6 A. THE INDUSTRIAL COMMISSION OF ARIZONA SHALL ADOPT RULES  
7 ESTABLISHING STANDARDS FOR EVERY INDUSTRY THAT MAY BE AFFECTED BY HEAT  
8 ILLNESS AS PROVIDED IN THIS SECTION THAT ARE DESIGNED TO PROTECT EMPLOYEES  
9 FROM HEAT ILLNESS WHILE ENGAGED IN INDOOR AND OUTDOOR WORK. THESE  
10 STANDARDS APPLY TO ALL INDOOR AND OUTDOOR PLACES OF EMPLOYMENT AND TO ALL  
11 EMPLOYERS THAT FALL WITHIN THE JURISDICTION OF THE DIVISION OF  
12 OCCUPATIONAL SAFETY AND HEALTH. THE COMMISSION SHALL CREATE SPECIFIC  
13 STANDARDS FOR THE FOLLOWING INDUSTRIES:

- 14 1. AGRICULTURE.
- 15 2. CONSTRUCTION.
- 16 3. LANDSCAPING.
- 17 4. OIL AND GAS EXTRACTION.
- 18 5. AIRPORT WORKERS.
- 19 6. MAIL AND PACKAGE DELIVERY WORKERS.

20 7. TRANSPORTATION OR DELIVERY OF AGRICULTURAL PRODUCTS,  
21 CONSTRUCTION MATERIALS OR OTHER HEAVY MATERIALS, INCLUDING FURNITURE,  
22 LUMBER, FREIGHT, CARGO, CABINETS AND INDUSTRIAL OR COMMERCIAL MATERIALS,  
23 EXCEPT FOR EMPLOYMENT THAT CONSISTS OF OPERATING AN AIR-CONDITIONED  
24 VEHICLE AND THAT DOES NOT INCLUDE LOADING OR UNLOADING.

25 B. STANDARDS ADOPTED PURSUANT TO THIS SECTION MUST REQUIRE EACH  
26 EMPLOYER TO PROVIDE POTABLE WATER AND ACCESS TO FACILITIES AS FOLLOWS:

27 1. AN EMPLOYER SHALL PROVIDE EMPLOYEES, AT NO COST TO THE  
28 EMPLOYEES, ACCESS TO DRINKING WATER IN QUANTITIES SUFFICIENT TO MAINTAIN  
29 ADEQUATE LEVELS OF HYDRATION AT VARYING LEVELS OF HEAT, USING A BASELINE  
30 OF ONE CUP OF COOL WATER PER FIFTEEN TO TWENTY MINUTES, AS WELL AS  
31 ELECTROLYTES IF EMPLOYEES HAVE BEEN WORKING FOR OVER AN HOUR IN CONDITIONS  
32 AT OR ABOVE NINETY DEGREES FAHRENHEIT.

33 2. THE WATER AND ACCESS TO A RESTROOM MUST BE LOCATED AS CLOSE AS  
34 PRACTICABLE TO THE AREAS WHERE EMPLOYEES ARE WORKING AND MAY NOT BE  
35 FARTHER THAN FOUR HUNDRED FEET WALKING DISTANCE FROM AN EMPLOYEE'S WORK  
36 AREA.

37 3. EMPLOYERS MAY BEGIN THE SHIFT WITH SMALLER QUANTITIES OF WATER  
38 THAT ARE REPLENISHED DURING THE SHIFT AS NEEDED.

39 4. THE EMPLOYER SHALL PROVIDE WATER THAT IS SUITABLY COOL AND  
40 POTABLE AND SHALL PROVIDE THE WATER TO EMPLOYEES FREE OF CHARGE.

41 5. THE EMPLOYER SHALL ENCOURAGE THE FREQUENT DRINKING OF WATER AS  
42 DESCRIBED IN SUBSECTION H, PARAGRAPH 3, SUBDIVISION (c).

43 C. STANDARDS ADOPTED PURSUANT TO THIS SECTION SHALL REQUIRE EACH  
44 EMPLOYER TO PROVIDE ACCESS TO SHADE OR A CLIMATE-CONTROLLED ENVIRONMENT AS  
45 FOLLOWS:

1           1. WHEN THE TEMPERATURE IN THE WORK AREA IS MORE THAN NINETY  
2 DEGREES FAHRENHEIT, THE EMPLOYER SHALL PROVIDE AND MAINTAIN AT ALL TIMES  
3 WHILE EMPLOYEES ARE PRESENT ONE OR MORE AREAS WITH SHADE OR A  
4 CLIMATE-CONTROLLED ENVIRONMENT THAT ARE EITHER OPEN TO THE AIR OR PROVIDED  
5 WITH VENTILATION OR COOLING. THE AMOUNT OF SHADE OR CLIMATE-CONTROLLED  
6 ENVIRONMENT PROVIDED SHALL BE AT LEAST ENOUGH TO ACCOMMODATE THE NUMBER OF  
7 EMPLOYEES ON REST PERIODS SO THAT THEY CAN SIT IN A NORMAL POSTURE FULLY  
8 IN THE SHADE OR CLIMATE-CONTROLLED ENVIRONMENT WITHOUT HAVING TO BE IN  
9 PHYSICAL CONTACT WITH EACH OTHER. THE SHADE OR CLIMATE-CONTROLLED  
10 ENVIRONMENT SHALL BE LOCATED AS CLOSE AS PRACTICABLE TO THE AREAS WHERE  
11 EMPLOYEES ARE WORKING. SUBJECT TO THE SAME SPECIFICATIONS, THE AMOUNT OF  
12 SHADE OR CLIMATE-CONTROLLED ENVIRONMENT PRESENT DURING MEAL PERIODS SHALL  
13 BE AT LEAST ENOUGH TO ACCOMMODATE THE NUMBER OF EMPLOYEES ON THE MEAL  
14 PERIOD WHO REMAIN ON-SITE.

15           2. WHEN THE TEMPERATURE IN THE WORK AREA IS NOT MORE THAN NINETY  
16 DEGREES FAHRENHEIT DURING DAYLIGHT HOURS, EMPLOYERS SHALL PROVIDE EITHER  
17 SHADE OR A CLIMATE-CONTROLLED ENVIRONMENT IN ACCORDANCE WITH PARAGRAPH 1  
18 OF THIS SUBSECTION OR PROVIDE ACCESS TO SHADE OR A CLIMATE-CONTROLLED  
19 ENVIRONMENT ON AN EMPLOYEE'S REQUEST.

20           3. AN EMPLOYER SHALL ALLOW AND ENCOURAGE EMPLOYEES TO TAKE A  
21 COOL-DOWN REST PERIOD IN THE SHADE OR CLIMATE-CONTROLLED ENVIRONMENT FOR  
22 PREVENTATIVE MEASURES. AN EMPLOYER SHALL COMPLY WITH ALL OF THE FOLLOWING  
23 WHEN AN EMPLOYEE TAKES A PREVENTATIVE COOL-DOWN REST PERIOD PURSUANT TO  
24 THIS PARAGRAPH:

25           (a) THE EMPLOYER SHALL ASK IF THE EMPLOYEE IS EXPERIENCING SYMPTOMS  
26 OF HEAT ILLNESS.

27           (b) THE EMPLOYER SHALL ENCOURAGE THE EMPLOYEE TO REMAIN IN THE  
28 SHADE OR CLIMATE-CONTROLLED ENVIRONMENT.

29           (c) THE EMPLOYER MAY NOT ORDER THE EMPLOYEE BACK TO WORK UNTIL ANY  
30 SIGNS OR SYMPTOMS OF HEAT ILLNESS HAVE ABATED, BUT NOT LESS THAN FIVE  
31 MINUTES IN ADDITION TO THE TIME NEEDED TO ACCESS THE SHADE OR  
32 CLIMATE-CONTROLLED ENVIRONMENT.

33           4. WHEN THE TEMPERATURE IS MORE THAN NINETY DEGREES FAHRENHEIT IN A  
34 VEHICLE THAT IS IDLE OR NOT PRODUCING AIR CONDITIONING.

35           5. WHEN THE EMPLOYEE IS WORKING IN AN ATTIC, THE EMPLOYEE MUST HAVE  
36 ACCESS TO COOL AIR AND SUFFICIENT BREAKS.

37           D. STANDARDS ADOPTED PURSUANT TO THIS SECTION SHALL REQUIRE EACH  
38 EMPLOYER TO IMPLEMENT HIGH-HEAT PROCEDURES THAT DO ALL OF THE FOLLOWING  
39 WHEN THE TEMPERATURE EQUALS OR EXCEEDS NINETY DEGREES FAHRENHEIT:

40           1. ENSURE THAT EMPLOYEES ARE ABLE TO CONTACT THEIR SUPERVISOR BY  
41 ANY METHOD OF EFFECTIVE COMMUNICATION WHEN NECESSARY.

42           2. REQUIRE AN EMPLOYER TO EFFECTIVELY OBSERVE AND MONITOR EMPLOYEES  
43 FOR SIGNS OR SYMPTOMS OF HEAT ILLNESS BY IMPLEMENTING TWO OR MORE OF THE  
44 FOLLOWING POLICIES:

1 (a) A REQUIREMENT THAT THERE BE AT LEAST ONE SUPERVISOR OR  
2 SUPERVISOR'S DESIGNEE RESPONSIBLE FOR OBSERVING AND MONITORING EACH GROUP  
3 OF TWENTY OR FEWER EMPLOYEES.

4 (b) A MANDATORY BUDDY SYSTEM.

5 (c) COMMUNICATION WITH AN EMPLOYEE, SUCH AS BY RADIO OR CELLPHONE,  
6 MULTIPLE TIMES PER SHIFT.

7 (d) OTHER EFFECTIVE MEANS OF OBSERVATION.

8 3. DESIGNATE ONE OR MORE EMPLOYEES ON EACH WORKSITE WHO ARE  
9 AUTHORIZED TO CALL FOR EMERGENCY MEDICAL SERVICES, AND IF NO DESIGNATED  
10 EMPLOYEES ARE AVAILABLE, ALLOW OTHER EMPLOYEES TO CALL ON THEIR BEHALF.

11 4. REQUIRE REMINDING EMPLOYEES THROUGHOUT THE WORK SHIFT TO STAY  
12 PROPERLY HYDRATED.

13 5. FOR EMPLOYEES EMPLOYED IN AGRICULTURE, REQUIRE PRE-SHIFT  
14 MEETINGS BEFORE THE BEGINNING OF EACH WORK SHIFT TO REVIEW THE HIGH-HEAT  
15 PROCEDURES, ENCOURAGE EMPLOYEES TO DRINK PLENTY OF WATER AND REMIND  
16 EMPLOYEES OF THEIR RIGHT TO TAKE A COOL-DOWN REST PERIOD WHEN NECESSARY.

17 E. STANDARDS ADOPTED PURSUANT TO THIS SECTION SHALL REQUIRE EACH  
18 EMPLOYER TO PROVIDE REST PERIODS THAT RANGE IN DURATION FROM FIFTEEN TO  
19 FORTY-FIVE MINUTES PER HOUR, DEPENDING ON THE WORKPLACE TEMPERATURE AND  
20 WORKER ACTIVITY LEVEL.

21 F. STANDARDS ADOPTED PURSUANT TO THIS SECTION SHALL REQUIRE EACH  
22 EMPLOYER TO IMPLEMENT EFFECTIVE EMERGENCY RESPONSE PROCEDURES PURSUANT TO  
23 WHICH THE EMPLOYER SHALL BOTH:

24 1. ENSURE THAT EFFECTIVE COMMUNICATION BY VOICE, OBSERVATION OR  
25 ELECTRONIC MEANS IS MAINTAINED SO THAT EMPLOYEES AT THE WORKSITE CAN  
26 CONTACT A SUPERVISOR OR EMERGENCY MEDICAL SERVICES WHEN NECESSARY. AN  
27 ELECTRONIC DEVICE, SUCH AS A CELLPHONE OR TEXT MESSAGING DEVICE, MAY BE  
28 USED FOR THIS PURPOSE ONLY IF RECEPTION IN THE AREA IS RELIABLE.

29 2. RESPOND TO SIGNS AND SYMPTOMS OF POSSIBLE HEAT ILLNESS IF A  
30 SUPERVISOR OBSERVES, OR ANY EMPLOYEE REPORTS, ANY SIGNS OR SYMPTOMS OF  
31 HEAT ILLNESS IN ANY EMPLOYEE. THE SUPERVISOR SHALL TAKE IMMEDIATE ACTION  
32 COMMENSURATE WITH THE SEVERITY OF THE ILLNESS, INCLUDING FIRST AID  
33 MEASURES AND CONTACTING EMERGENCY MEDICAL SERVICES. IF THE EMPLOYEE  
34 EXHIBITS SIGNS OR SYMPTOMS SEVERE ENOUGH TO INDICATE HEAT ILLNESS, THE  
35 EMPLOYEE MAY NOT BE SENT HOME WITHOUT BEING OFFERED ON-SITE FIRST AID OR  
36 PROVIDED WITH EMERGENCY MEDICAL SERVICES.

37 G. STANDARDS ADOPTED PURSUANT TO THIS SECTION SHALL REQUIRE THAT  
38 ALL EMPLOYEES WHO BEGIN EMPLOYMENT IN HIGH-HEAT ENVIRONMENTS, OR WHO WILL  
39 BE WORKING IN HOTTER CONDITIONS THAN USUAL, SUCH AS DURING A HEAT WAVE, BE  
40 GRADUALLY ACCLIMATIZED TO THE WORK OVER A PERIOD OF BETWEEN SEVEN AND  
41 FOURTEEN DAYS.

42 H. STANDARDS ADOPTED PURSUANT TO THIS SECTION SHALL REQUIRE EACH  
43 EMPLOYER TO PROVIDE EFFECTIVE TRAINING TO EMPLOYEES AND SUPERVISORS THAT  
44 MEETS ALL OF THE FOLLOWING REQUIREMENTS:

45 1. IS IN A LANGUAGE THAT THE EMPLOYEE OR SUPERVISOR UNDERSTANDS.

1           2. IS PROVIDED TO EACH SUPERVISOR BEFORE SUPERVISING EMPLOYEES  
2 PERFORMING WORK THAT MAY REASONABLY RESULT IN EXPOSURE TO THE RISK OF HEAT  
3 ILLNESS AND TO EACH NONSUPERVISORY EMPLOYEE BEFORE THE EMPLOYEE BEGINS  
4 WORK THAT MAY REASONABLY RESULT IN EXPOSURE TO THE RISK OF HEAT ILLNESS.

5           3. COVERS ALL OF THE FOLLOWING TOPICS:

6           (a) THE ENVIRONMENTAL RISK FACTORS FOR HEAT ILLNESS AND PERSONAL  
7 RISK FACTORS FOR HEAT ILLNESS, INCLUDING MEDICAL CONDITIONS, WATER  
8 CONSUMPTION, ALCOHOL USE, THE USE OF MEDICATIONS THAT AFFECT THE BODY'S  
9 RESPONSE TO THE HEAT AND THE BURDEN CAUSED BY PERSONAL PROTECTIVE  
10 EQUIPMENT.

11           (b) THE EMPLOYER'S PROCEDURES FOR COMPLYING WITH THE STANDARDS  
12 ADOPTED PURSUANT TO THIS SECTION, INCLUDING THE EMPLOYER'S RESPONSIBILITY  
13 TO PROVIDE WATER, SHADE OR A CLIMATE-CONTROLLED ENVIRONMENT, COOL-DOWN  
14 REST PERIODS AND ACCESS TO FIRST AID, AS WELL AS THE EMPLOYEE'S RIGHT TO  
15 EXERCISE RIGHTS UNDER THESE STANDARDS WITHOUT RETALIATION.

16           (c) THE IMPORTANCE OF FREQUENT CONSUMPTION OF WATER, UP TO FOUR  
17 CUPS PER HOUR, WHEN THE WORK ENVIRONMENT IS ABOVE NINETY DEGREES  
18 FAHRENHEIT AND EMPLOYEES ARE LIKELY SWEATING MORE THAN USUAL.

19           (d) THE IMPORTANCE OF ACCLIMATIZATION.

20           (e) THE DIFFERENT TYPES OF HEAT ILLNESS, THE COMMON SIGNS AND  
21 SYMPTOMS OF HEAT ILLNESS AND APPROPRIATE FIRST AID AND EMERGENCY RESPONSES  
22 TO THE DIFFERENT TYPES OF HEAT ILLNESS.

23           (f) THE IMPORTANCE OF IMMEDIATELY REPORTING TO THE EMPLOYER,  
24 DIRECTLY OR THROUGH THE EMPLOYEE'S SUPERVISOR, SYMPTOMS OR SIGNS OF HEAT  
25 ILLNESS IN THEMSELVES OR IN COWORKERS.

26           (g) THE EMPLOYER'S PROCEDURES FOR RESPONDING TO SIGNS OR SYMPTOMS  
27 OF POSSIBLE HEAT ILLNESS, INCLUDING HOW EMERGENCY MEDICAL SERVICES WILL BE  
28 CONTACTED AND PROVIDED SHOULD THEY BECOME NECESSARY.

29           4. FOR SUPERVISORS, IN ADDITION TO THE REQUIREMENTS OF PARAGRAPH 3  
30 OF THIS SUBSECTION, COVERS THE PROCEDURES THE SUPERVISOR IS REQUIRED TO  
31 FOLLOW:

32           (a) TO IMPLEMENT THE APPLICABLE STANDARDS ADOPTED PURSUANT TO THIS  
33 SECTION.

34           (b) WHEN AN EMPLOYEE EXHIBITS SIGNS OR REPORTS SYMPTOMS CONSISTENT  
35 WITH POSSIBLE HEAT ILLNESS, INCLUDING EMERGENCY RESPONSE PROCEDURES.

36           I. IN ADOPTING STANDARDS PURSUANT TO THIS SECTION, THE INDUSTRIAL  
37 COMMISSION OF ARIZONA SHALL CONSIDER CRITERIA RELATING TO RECOMMENDED  
38 STANDARDS FOR OCCUPATIONAL EXPOSURE TO HEAT AND HOT ENVIRONMENTS  
39 ESTABLISHED BY A NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH.

40           J. THE RULES ADOPTED BY THE INDUSTRIAL COMMISSION OF ARIZONA  
41 PURSUANT TO THIS SECTION SHALL INCLUDE THE FOLLOWING:

42           1. BUILDING REQUIREMENTS FOR INTERIOR WORK ENVIRONMENTS THAT  
43 INCLUDE AIR CIRCULATION AND INSULATION STANDARDS.

44           2. EDUCATIONAL AND TRAINING REQUIREMENTS FOR EMPLOYEES RELATED TO  
45 HEAT ILLNESS IDENTIFICATION, PREVENTION AND PREPARATION.

1           3. PERSONAL PROTECTIVE EQUIPMENT FOR EMPLOYEES IN TEMPERATURES OF  
2 MORE THAN NINETY DEGREES FAHRENHEIT THAT INCLUDES COOLING TOWELS AND HATS  
3 FOR SUN PROTECTION.

4           4. ENFORCEMENT PROVISIONS.

5           K. AN EMPLOYER MAY NOT DISCHARGE OR DISCRIMINATE IN ANY OTHER  
6 MANNER AGAINST EMPLOYEES FOR EXERCISING THEIR RIGHTS UNDER THIS SECTION.

7           L. AN EMPLOYEE MAY BRING A PRIVATE RIGHT OF ACTION FOR A VIOLATION  
8 OF THIS SECTION IN A COURT OF COMPETENT JURISDICTION TO DO EITHER OR BOTH  
9 OF THE FOLLOWING:

10          1. ENJOIN THE VIOLATION.

11          2. RECOVER ACTUAL MONETARY LOSSES FROM THE VIOLATION OR RECEIVE  
12 \$500 IN DAMAGES FOR EACH VIOLATION, WHICHEVER IS GREATER.

13          M. FOR THE PURPOSES OF THIS SECTION:

14          1. "ACCLIMATIZATION" MEANS THE GRADUAL, TEMPORARY ADAPTATION OF THE  
15 BODY TO WORK IN THE HEAT WHEN A PERSON IS EXPOSED TO HEAT.

16          2. "BUDDY SYSTEM" MEANS A PROCEDURE IN WHICH TWO INDIVIDUALS, THE  
17 BUDDIES, OPERATE TOGETHER AS A SINGLE UNIT SO THAT THEY ARE ABLE TO  
18 MONITOR AND HELP EACH OTHER.

19          3. "ENVIRONMENTAL RISK FACTORS FOR HEAT ILLNESS" MEANS WORKING  
20 CONDITIONS THAT CREATE THE POSSIBILITY THAT HEAT ILLNESS COULD OCCUR,  
21 INCLUDING AIR TEMPERATURE, RELATIVE HUMIDITY, RADIANT HEAT FROM THE SUN  
22 AND OTHER SOURCES, CONDUCTIVE HEAT SOURCES SUCH AS THE GROUND, AIR  
23 MOVEMENT, WORKLOAD SEVERITY AND DURATION, PROTECTIVE CLOTHING AND PERSONAL  
24 PROTECTIVE EQUIPMENT WORN BY EMPLOYEES.

25          4. "HEAT ILLNESS":

26          (a) MEANS A SERIOUS MEDICAL CONDITION RESULTING FROM THE BODY'S  
27 INABILITY TO COPE WITH A PARTICULAR HEAT LOAD.

28          (b) INCLUDES HEAT CRAMPS, HEAT EXHAUSTION, HEAT SYNCOPE AND HEAT  
29 STROKE.

30          5. "HEAT WAVE" MEANS ANY DAY IN WHICH THE PREDICTED HIGH  
31 TEMPERATURE FOR THE DAY WILL BE AT LEAST NINETY DEGREES FAHRENHEIT AND AT  
32 LEAST TEN DEGREES FAHRENHEIT HIGHER THAN THE AVERAGE HIGH DAILY  
33 TEMPERATURE IN THE PRECEDING FIVE DAYS.

34          6. "LANDSCAPING":

35          (a) MEANS PROVIDING LANDSCAPE CARE AND MAINTENANCE SERVICES,  
36 INSTALLING TREES, SHRUBS, PLANTS, LAWNS OR GARDENS OR PROVIDING THESE  
37 SERVICES IN CONJUNCTION WITH THE DESIGN OF LANDSCAPE PLANS.

38          (b) INCLUDES CONSTRUCTING, INSTALLING OR MAINTAINING WALKWAYS,  
39 RETAINING WALLS, DECKS, FENCES, PONDS AND SIMILAR STRUCTURES.

40          7. "OIL AND GAS EXTRACTION" MEANS OPERATING OR DEVELOPING OIL AND  
41 GAS FIELD PROPERTIES, EXPLORING FOR CRUDE PETROLEUM OR NATURAL GAS, MINING  
42 OR EXTRACTING OF OIL OR GAS OR RECOVERING LIQUID HYDROCARBONS FROM OIL OR  
43 GAS FIELD GASES.

44          8. "PERSONAL RISK FACTORS FOR HEAT ILLNESS" MEANS FACTORS SUCH AS  
45 AN INDIVIDUAL'S AGE, DEGREE OF ACCLIMATIZATION, HEALTH, WATER CONSUMPTION

1 AND USE OF PRESCRIPTION MEDICATIONS THAT AFFECT THE BODY'S WATER RETENTION  
2 OR OTHER PHYSIOLOGICAL RESPONSES TO HEAT.

3 9. "POTABLE WATER" HAS THE SAME MEANING PRESCRIBED IN 29 CODE OF  
4 FEDERAL REGULATIONS SECTION 1910.141(a)(2).

5 10. "REST PERIOD" MEANS A COOL-DOWN PERIOD MADE AVAILABLE TO AN  
6 EMPLOYEE TO PREVENT HEAT ILLNESS.

7 11. "SHADE" MEANS THE COMPLETE BLOCKAGE OF DIRECT SUNLIGHT THAT  
8 ALLOWS THE BODY TO COOL. SHADE MAY BE PROVIDED BY ANY ARTIFICIAL MEANS  
9 THAT DOES NOT EXPOSE EMPLOYEES TO UNSAFE OR UNHEALTHY CONDITIONS AND DOES  
10 NOT DETER OR DISCOURAGE ACCESS OR USE.

11 Sec. 2. Section 23-405, Arizona Revised Statutes, is amended to  
12 read:

13 23-405. Duties and powers of the industrial commission of  
14 Arizona relative to occupational safety and health;  
15 reporting

16 The commission shall:

17 1. Administer ~~the provisions of~~ this article through the division  
18 ~~of occupational safety and health.~~

19 2. Appoint the director of the division ~~of occupational safety and~~  
20 ~~health.~~

21 3. Cooperate with the federal government to establish and maintain  
22 an occupational safety and health program as effective as the federal  
23 occupational safety and health program.

24 4. ~~Promulgate~~ ADOPT standards and regulations as required, pursuant  
25 to section 23-410, and ~~promulgate~~ ADOPT such other rules and regulations  
26 as are necessary for the efficient functioning of the division.

27 5. Have the authority to issue reasonable temporary, experimental  
28 and permanent variances pursuant to sections 23-411 and 23-412.

29 6. Exercise such other powers as are necessary to carry out the  
30 duties and requirements of this article.

31 7. MANAGE A TELEPHONE NUMBER THAT ALLOWS EMPLOYEES TO REPORT  
32 POTENTIAL VIOLATIONS ANONYMOUSLY IN ENGLISH AND OTHER LANGUAGES IF AN  
33 EMPLOYER IS NOT IN COMPLIANCE WITH THE LAW.

34 Sec. 3. Industrial commission of Arizona; rules; report;  
35 delayed repeal

36 A. Within thirty days after the governor's regulatory review  
37 council's approval of the industrial commission of Arizona's proposed  
38 rules, the industrial commission of Arizona shall provide a copy of the  
39 rules to the president of the senate, the speaker of the house of  
40 representatives, the majority caucus of the senate, the minority caucus of  
41 the senate, the majority caucus of the house of representatives, the  
42 minority caucus of the house of representatives and the governor and  
43 submit a copy to the secretary of state.

44 B. This section is repealed from and after December 31, 2026.