

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

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SB 1416

Introduced by

Senators Hernandez: Bravo, Epstein, Fernandez, Gabaldón, Gonzales,
Hatathlie, Marsh, Miranda, Sundareshan; Representatives Ortiz, Sandoval,
Terech

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.