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TEAMSTERS JOINT COUNCIL No. 62

AFFILIATED WITH THE
INTERNATIONAL BROTHERHOOD OF TEAMSTERS



TESTIMONY IN SUPPORT OF HB 722

Labor and Employment – Occupational Safety and Health - Heat Stress Standards

February 25th, 2020

TO: Hon. Dereck Davis, Chair, and members of the Economic Matters
Committee

FROM: Lawrence A. Wolfe Jr.

Dear Chairman Davis and Members of the Committee:

On behalf of Teamsters Joint Council 62, I am writing to offer our support for HB 722. Heat stress is a significant problem for our members. We represent over 10,000 members in the State of Maryland - they mostly work in the trucking, warehousing and construction industries. Many of our members work in uncontrolled temperature environments, that don't have air conditioning or protection from the sun. For two examples: on an 85 degree day, the cargo area of a UPS truck is well over 100 degrees where drivers spend extended time sorting and selecting packages, as well as loading pick-up packages; construction workers on highway paving jobs are subjected not only to the outside temperatures, but working around hot asphalt which is 250-300 degrees.

As summers have gotten hotter and we experience more days above 90° or 100° F, our members have to cope with the hazards associated with these extreme temperatures. Maryland normally has about 25- 30 days/year with temperatures above 90°F but this is expected to rise to 70- 80 days/year by mid-century. Sixty workers died in the US in 2018 from extreme temperatures, a dozen of whom worked in construction. Nine Maryland workers died from heat stress since 1992. Over 17,000 US workers reported heat-related illnesses in 2018 that caused them to miss work (over 2,500 of them were in construction). Yet leading experts believe that there is rampant under-reporting of heat-related illnesses in the US and that extreme exposure takes a toll in long-term health outcome and productivity.

Trends in protecting workers from extreme heat in union construction firms are better than non-union firms. These firms along with their unions have developed programs to help prevent heat-related illnesses, for example shifting schedules to start early in the morning and quitting by early afternoon or shifting to night work. They provide water, rest, shade and training for members on heat stress. But smaller, non-union companies often do not. This bill would help level the playing field and require these non-union companies to provide equivalent protection.

Maryland, being a State plan state, is required to be "at least as effective" as the Federal OSHA program. But Maryland can exceed the minimum standards required. Maryland was one of the first states to protect workers from lead exposure on the job and one of the few states with protections required for tree care workers. Currently there are three other states which require protection from heat stress on the job (CA, WA and MN). Maryland can join these states to once again become a leader in worker protection. Currently Maryland can only cite employers for heat stress under the "general duty clause" which mandates that employers provide a workplace "free of recognized hazards." The General Duty Clause though is notoriously difficult to enforce. Having a separate requirement specific for heat stress will help clarify an employer's obligations and make it easier for the State to enforce these requirements.

We therefore urge you to support this bill and look forward to working with Maryland OSHA to develop and enforce the standard.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lawrence A. Wolfe Jr.", written in black ink.

Lawrence A. Wolfe Jr.
Secretary-Treasurer and
Legislative Representative