

Consultation: Proposed Heat Stress Regulation Under the Occupational Health and Safety Act

**Ministry of Labour, Immigration, Training and Skills
Development (MLITSD)**



Ontario Federation of Labour Submission

September 2023

Introduction

The Ontario Federation of Labour (OFL) is the central labour organization in the province of Ontario. The OFL represents 54 unions and speaks for more than a million workers from all regions of the province in the struggle for better working and living conditions.

With most unions in Ontario affiliated, membership includes nearly every job category and occupation. The OFL is Canada's largest provincial labour federation. The strength of the labour movement is built on solidarity and respect among workers.

We commit ourselves to the goals of worker democracy, social justice, equality, and peace. We are dedicated to making the lives of all workers and their families safe, secure, and healthy. We believe that every worker is entitled, without discrimination, to a job with decent wages and working conditions, union representation, free collective bargaining, a safe and healthy workplace, and the right to strike.

Organized labour, as the voice of working people, promotes their interests in the community and at national and international forums. We speak out forcefully for our affiliates and their members to employers, governments, and the public to ensure the rights of all workers are protected and expanded.

Ministry's Proposal

According to the consultation notice released on August 1, 2023, the Ministry of Labour, Immigration, Training and Skills Development (MLITSD) is proposing to introduce a stand-alone heat stress regulation under the OHS Act with specific requirements that would apply to all workplaces to which the OHS Act applies. The regulation would:

- Introduce heat stress exposure limits based on the ACGIH method.
- Provide for the use of other methods to assess a worker's risk of exposure to heat stress.
- Require employers to identify and implement measures and procedures to control heat exposures based on the "hierarchy of controls", and
- Require employers to provide worker information and instruction on recognizing the signs and symptoms of heat-related illnesses and the measures to protect themselves.

More specifically,

1. All employers would have a duty to take all measures reasonably necessary in the circumstances to protect workers from exposure to hazardous thermal conditions that may result in a heat-related illness or a worker's core body temperature exceeding 38°C (100°F).

2. Requiring compliance with heat stress exposure limits for light to very heavy work loads in accordance with methods used to determine heat exposures.
3. Allow for the use of methods other than the ACGIH method to assess a worker's exposure to heat stress if the method is in accordance with recognized industrial hygiene practices and equally protects the health and safety of workers.
4. If physiological monitoring is used as part of an alternative method of assessing exposure to heat stress, it must be conducted under the supervision of a person who is qualified, because of knowledge, training, and experience, to recognize and assess heat strain and heat-related illness resulting from hot work conditions.
5. Engineering controls must be used to maintain a worker's heat exposure within the heat stress exposure limits, except if:
 - a. The workplace is outdoors,
 - b. The workplace is indoors, and engineering controls are sufficient to protect workers in usual thermal conditions, but there is a temporarily high level of heat unrelated to the workplace or work process being performed, such as a hot spell or heat wave, such that it is not reasonably practicable to protect workers through the use of engineering controls alone, or
 - c. The workplace is indoors, and the usual thermal conditions related to the workplace or work processes are such that it is not reasonably practicable to control some or all of the sources of heat through the use of engineering controls alone.
6. Any additional measures and procedures implemented beyond engineering controls to control heat exposures must:
 - a. Be developed in consultation with the joint health and safety committee or health and safety representative, if any;
 - b. Include administrative controls, such as reducing the amount of time a worker spends in exposure to heat through implementation of a work-rest cycle, adjusting the start of the work day, or provision of more frequent breaks;
 - c. Include the use of personal protective equipment, such as anti-radiant heat or reflective clothing and, in the case of outdoor work in exposure to solar radiation, the use of adequate head protection, clothing, and sunscreen, and;
 - d. Be in writing.
7. A requirement that cool, potable drinking water, or another adequate hydrating fluid be provided by the employer, close to the work areas, for the use of workers in hot conditions.
8. A requirement that workers be provided the following information and instruction where the thermal conditions in a workplace or related to a specific work process will pose or are likely to pose a hazard to the worker's health or safety:

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- The measures and procedures to be implemented to protect the worker, including the engineering controls to be implemented.
- The importance of staying hydrated and of taking breaks and all rest periods identified in the work-rest cycle set out in the measures and procedures.
- The early signs and symptoms of heat strain and heat-related illnesses and the precautions to be taken to avoid illness or injury.
- Steps the worker should immediately take if they suspect they are experiencing heat strain or heat-related illness.
- In areas where a heat warning has been issued by Environment and Climate Change Canada, a requirement for employers of workers working outdoors or workers who face an increased risk of developing a heat-related illness as a result of a change in their usual thermal workplace conditions to advise them of the heat warning, the importance of staying hydrated and taking breaks, and all rest periods identified in the work-rest cycle set out in the employer's measures and procedures.

OFL Position

The Ontario Federation of Labour cannot support the proposed regulation in its current form. While we acknowledge that stronger regulations are required to address heat stress experienced by workers, the OFL submits that the approach proposed is not sufficient, accessible, nor protective enough – and if implemented, could serve to threaten the general duty legislation that covers workers impacted by heat stress. Specifically, for employers to take every precaution reasonable to protect workers, and inspectors' ability to enforce the TLVs in any workplace under this article of the Act [25(2)(h), OHSA].

However, currently, TLV thresholds for heat stress are measured using the Wet Bulb Globe Temperature (WBGT) Index, which requires the use of an expensive meter and a complex interpretation algorithm. A more accessible method is the Occupational Health Clinics for Ontario Workers (OHCOW)'s [Humidex Heat Stress Response Plan](#) and [Heat Stress Awareness Guide](#) for employers, joint committees, and Ministry inspectors to both assess and prevent heat stress, based on Humidex levels.

Therefore, we endorse the consultations provided by OHCOW, as well as our affiliates who provided comment, such as CUPE Ontario, ONA, and USW District 6.

Consultation Process

Given the labour movement's longstanding practice of providing constructive comment to proposed legislation that impact workers, we cannot help but feel shortchanged by this consultation process. In fact, we have noticed a pattern with this current government where consultation notice is not provided in advance through any formal or informal mechanism, and where consultation timeframes are shrinking considerably.

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From the outside, it appeared that the Ministry took more time to try to get media traction about the consultation, than to notify its system partners that it was to occur. Such factors are serving as a major deterrent for participation, as many stakeholders are concerned that their time is not well-served, well-respected, or well-received. Furthermore, without providing a proposed draft of said legislative change, stakeholders are left in the dark regarding any proposed changes to the OHS Act or supporting regulations.

We appreciate the minor extension that the Ministry provided, and that the Ministry will be meeting with the OFL and its affiliates in the fall. However, we ask that the following grievances about the consultation process be heard – and remedied in any future consultation from this current government.

Unreasonable timeframe

The MLITSD's call for consultation on both heat stress and outdoor air quality was announced on August 1, 2023, with a closing date of August 30, 2023. Such a timeframe is unacceptable under any circumstances, but especially unreasonable during the summer months when Ontario workers often take well-deserved vacation time. A number of labour organizations reached out to the Ministry for a reasonable extension but were only provided with two more additional weeks. The Ministry should understand this is not a reasonable timeframe or time of year for genuine consultation, and we implore them to do better with both this consultation and any future ones that may arise.

Failure to notify through appropriate channels

Despite their regular procedure, the MLITSD failed to notify and provide a consultation schedule through the proper channels – namely, the OHS committees formed under Section 21 of the Act.

As the Ministry knows, OHS committees are comprised of both employer and labour representatives, who provide the Minister with technical expertise and sector-specific advice on health and safety issues, including recommending regulatory changes and actions on emerging issues. To our knowledge, none of them were apprised of the pending heat stress consultation prior to its hasty release.

Lack of clarity and transparency

While point form parameters were provided, the MLITSD has not provided the actual language or edit that is being proposed. In other words, no explicit verbiage is provided or proposed deletions or additions to the Act or regulations. We are also not aware of any plans for future consultations with the public or workers impacted.

After this consultation period, we urge the MLITSD to post a list of submissions provided to them, similar to what is experienced with consultations with other Ministries and agencies. Stakeholders deserve to see the whole conversation to properly consider the issue at hand.

Major Pitfalls in Proposed Regulation

We have compiled a list of major flaws underpinning the proposed regulation. We do so to provide a constructive critique based on consultations we have reviewed.

- Potentially constricting the general duty clause to only protecting workers in certain heat-related circumstances (i.e. a worker's core body temperature exceeding 38°C).
- Resting on assumption that a worker's core body temperature can be measured in any way that would not be considerably invasive and not workplace appropriate.
- Relying too heavily on the TLVs which were historically conceived based off of young, male army recruits, with an average weight of 154 pounds, and still do not represent the diversity of current workers – and are not accessible to any party without interpretation.
- Prescribing a one-size-fits-all approach and ignoring that workers experience heat very differently (e.g. women, experienced workers, pregnant people), and that many workers present with either known or unknown underlying conditions that impact how they experience heat.
- Relatedly, missing or excluding the calculation adjustments normally made for body weight when assigning a metabolic rate (workload classification).
- Missing protections for workers who are unacclimatized to heat stress (as per the ACGIH definition of acclimatization) and therefore, prohibiting the regulation from applying to nearly all Ontario workers.
- Failing to recognize that current weather patterns in Ontario do not allow for heat acclimatization.
- Leaving out the Action Limit Values for unacclimatized workers, to achieve thermal equilibrium.

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- Excluding outdoor workers – who often receive the brunt of heat stress – from the engineering controls provision and therefore conceivably ignoring that they should have a right to controls such as an indoor air conditioned area for breaks, or sheltered areas.
- Creating loophole for either indoor or outdoor workers if it is not “reasonably practicable” to control the hazard, whether indoor or outdoor (e.g. will schools without mechanical ventilation or air conditioning be able to say it is not reasonably practicable to control the hazard of heat due to cost?).
- Failing to explicitly recommend proven alternatives to the ACGIH approach for assessing heat stress and providing context for a proper heat stress policy and plan.
- Failing to recommend protections for precarious workers who may not have ability to speak up about their working conditions (e.g. migrant farmworkers) – and in doing so, ignoring production incentives of employers that can inflame this dynamic.
- Relatedly, failing to address any change in administrative controls (e.g. hours of work, or timing of shift) that could alleviate extreme heat for outdoor workers.
- Failing to make any mention of training required for workers and supervisors to intimately understand resources available to them and how to use them (noting that ‘information and instruction’ is not necessarily training).
- Ignoring that the joint health and safety committee or the worker health and safety representative have an important and legal role to play in the identification and assessment of hazards such as heat, and in the recommendation of a proper workplace policy plan to prevent heat exposures. And that quality, mandatory training standards help facilitate this process.

On the last point, quality, mandatory training standards would help facilitate this hazard identification, assessment, and control process. We believe heat stress fits into the 2010 Expert Panel’s report recommendation that stakeholders be consulted about “high” hazards in their workplace.

Overall, we would appreciate a more nuanced, comprehensive, and inclusive approach to heat stress for all workers, from migrant farmworkers, to linespersons, to chefs, to electricians, to education workers. Simply put, anywhere where heat is a workplace hazard and is negatively impacting workers’ health.

The Heat is ON Campaign

The Ontario Federation of Labour launched a [heat stress and climate crisis campaign](#) in June of [this year, to address this very issue](#).

[In it](#), we describe how:

...extreme heat that injures, sickens, and even kills workers is caused by work and climate conditions. And workers of colour are bearing the brunt. [In the U.S. since 2010](#), Latinx workers have accounted for a third of all heat fatalities - attributed to overrepresentation in industries vulnerable to dangerous heat. Young workers and those in jobs with high physical demands are also more likely to be injured on hot days, or after an oppressively hot night. In fact, [an Australian study](#) co-authored by the Institute for Work and Health showed that for every 1 Celsius degree increase in temperature, younger workers were 1% more likely to be injured.

[Precarious work is inseparable from the climate crisis, and temperatures are rapidly rising. By the 2050s](#), Toronto will have almost 5x the number of heat waves it did last century; Thunder Bay, 10x as many, Kingston 9x as many. This increase in temperature is one of the most dangerous hazards to workers who are not provided with a comprehensive heat management program. We need to make Ontario workplaces safer to protect workers from a growing threat.

Another nuance is that many studies have shown that heat stress does not exist in isolation and that a continuum exists between thermal discomfort that workers may experience to extreme heat stress that may kill (e.g. IWH-led study reference above).

It is also important to note that if workers are experiencing extreme heat stress, it is too late for them to recognize the symptoms. Heat stress can range from heat fatigue that can impact alertness → to heat exhaustion accompanied by symptoms like dizziness, headache, and nausea → to heat stroke, often accompanied by mental confusion, delirium, convulsions, or unconsciousness. Any of these stages – but especially the last – could prohibit a worker from being able to recognize or address their symptoms.

Additionally, any workers working alone, such as trades workers, security guards, custodians, or migrant farmworkers, who may not recognize the symptoms due to delirium caused by extreme heat, do not have access to tools to measure heat stress properly, or again, do not always have labour power and job security to be able to speak up about addressing extreme heat.

All of these aspects – the climate crisis, precarious workers, heat continuum, and factors like working alone – must be considered if the Ministry is to provide a comprehensive and knowledge-based response to heat stress.

What We're Hearing from Workers

The most thoughtful insight gathered is always from that of workers themselves. The OFL incorporated a survey in its "The Heat is On" campaign, to get a sense of what workers are experiencing. Most of the respondents so far work in the education sector, but it has also garnered accounts from greenhouse workers and delivery drivers.

See below for some highlights:

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*"I worked full time in a retail greenhouse.... Myself and a younger co-worker were required to stay inside the greenhouse on hot summer days because we ran cash, and there was no provision for cashiers outside the greenhouse. **Daytime temperatures inside the greenhouse on sunny summer days climbed over 50 degrees Celsius. Overhead fans were too high and too weak to drive the heat out of the building and cross drafts likewise did not carry built up heat out of the building. We were required to work 4 to 6 hours a day in these conditions, and were told to drink lots of water.***

Cool-down periods were not built into the daily routine, and were prohibited as long as there were customers making purchases. We took turns taking very small breaks in the walk-in floral cooler. My young colleague did not drink enough and fainted. She revived in a few minutes, and then we called a family member to come and bring her home, because we knew she was in no condition to drive herself. We had minimal training in identifying and dealing with heat stroke, heat exhaustion, dehydration and related illnesses. In hindsight, we should have called an ambulance for our colleague.

There was no plan to close the greenhouse or relocate work spaces on very hot days. It often took me hours at home in cool baths and air conditioning to bring my own body temps back to normal after a day at work. I had very little or no energy for any home life activities. Employees were chastised for workplace errors when heat conditions and possible dehydration caused brain fog and other symptoms.

At the time I was a 45 year old, Caucasian female, also dealing with perimenopausal symptoms."

~

"In our [school] board most of the elementary schools only have A/C in the office and library. I am in a large 2 story building, where the windows only open a little and there aren't enough 'board approved' fans for every room. The few fans we have are almost 10 years old and there is only one in a room.

During the hot smoke days, we had to keep the windows closed and relied solely on the few fans in some rooms. We had our grade 8 grad in our non air conditioned gym with hundreds of people, no fans and doors closed... the kids then went to a different room for dinner - again no A/C. I spent most of the evening with students on the verge of fainting or getting sick. It was awful. Our heat plan tells us to sit under a tree/shade if it's hot. We have very few trees and when on duty, we can't sit...we also have to wear a nylon safety vest which increases the heat. It's awful.

Most staff & students (including me) went home with headaches and were nauseated on the hottest days. The classrooms upstairs are over 40° with humidity for the entire month of June & much of May now. I think if parents were allowed access to their child's class, to feel the heat of their learning conditions, they would be extremely angry...but hopefully not too angry, since that just makes everyone hotter!"

~

"I work full-time as an elementary school teacher. It's an old building with no air conditioning and my class has windows on two walls, facing south and east. The last two weeks of June, it was routinely 5-7 degrees hotter in my room than it was outside. Several days, I felt lightheaded and saw black spots in my vision when I stood too quickly. One day, I took my students outside and one of my administrators asked me (and the other teachers) to take our students back inside, despite the heat. I developed a heat rash on my face, stomach, and thighs: redness with raised white bumps. I took a day off work and the response of my administration was that I should have entered the absence into the system earlier than 6am. In general, the response of the administration has been 'Yes, we know the heat is awful. It's only for a couple more days.'"

~

"Delivering by bicycle or walking in the heat for extended periods of time and repeatedly suffer severe heatstroke, working while experiencing dizziness and nausea, having to pay out of pocket for supplies to try to treat heatstroke and dehydration. I'm on my own when this happens, my app bosses like UberEats and Skip the dishes don't offer any support. On days when I get heatstroke and can't work the following day I just don't make any money."

~

"I'm an elementary school teacher and my school has no air conditioning. My job involves being on my feet for most of the day in order to give the best instruction to my grade one students. This is challenging at the best of times, but this June I

was in my third trimester of pregnancy and the heat came close to causing emergencies. By the last week of school, I was 33 weeks pregnant. By the end of most school days, I felt dizzy, nauseous, and ready to faint. The only way to get relief was to wear an ice pack around my neck. Most afternoons, I was definitely not able to be my best self for my students. There was a fan that the school had that I could use, but it wouldn't turn on. I had to bring my own fan from home. This didn't do much good, however, because the windows in the classroom only open a few centimetres.

On days when the wildfire smoke made the air quality poor, I had a tough choice between keeping the windows closed, thereby making the classroom even hotter, or opening them and worsening the air quality inside the classroom.”

~

“As a food delivery courier, I only get paid when I am actively making a delivery. When I am waiting for an order during a shift, I do not get paid. In extreme heat, I often have to take a break, and during this time, I do not get paid. On one occasion, I suffered a heat stroke. When I informed the dispatchers, they only asked if I could finish my shift, which I obviously could not, so I did not earn any more that day. To make matters worse, I was too sick to work the next day, so I lost another day of income.”

~

“My school board doesn't turn AC on until June 1 each year. The AC in our school is so shoddy that it only works in the hallways, not in the classrooms with 30+ children. During the May heatwaves, we also experienced poor air quality days due to wildfire smoke, during which windows could not be opened and outdoor recess was canceled. The heat during these days before AC was turned on (which is barely functional when operating, as a reminder) was absolutely unbearable. I was pregnant at the time, and I took sick days during the heatwave to safeguard my health. This type of event is only more likely to reoccur yearly as we are fully in the throes of extreme weather due to climate change. Maximum temperature at work legislation needs to be implemented in schools for the safety of both children and staff.”

~

“Teaching in early September and May/June is nearly impossible with the heat. Most schools don't have AC, and it gets to be ridiculously hot in the classrooms. Not only are we dealing with the effects of being in a 30°+ room for 8 hours a day, so are the students. I have seen children have breakdowns because it is too hot, and a few behavioural children have violent outbursts because they are unable to deal with how the heat is making them feel. It is also very hard on children with physical

disabilities whose bodies struggle to regulate temperature, leaving the students to suffer heat exhaustion in the classroom.”

~

We also urge the Ministry to review the [“Open Letter Re: Heat Stress”](#) sent to the MLITSD and Premier Ford by Justice for Migrant Workers. It includes harrowing accounts of the heat stress migrant farmworkers endure, and their general lack of ability to speak out in fear of losing their job, ability to work in Canada, and for many, income that supports their family in their home country. For example:

“...The heat gets so bad that during our work, our clothes get soaked in our own sweat, and we have to constantly wring out our clothes so we can get rid of the sweat. It is horrible. I understand that there is nothing the employer can do to change the temperature, but he could give us as much clean and cold water as we want. The nursery owner could also pay us wages when we need to stop work because of the heat. We are not asking for much, just that we are treated the same as the citizens of the U.S or Canada, because they have no problems taking taxes from us without giving us the same rights.”

The OFL supports the Justice for Migrant Workers’ demands, including emergency measures such as including workers in these discussions, permanent paid sick days and breaks for agricultural workers, providing sufficient shelters, functioning bathrooms and drinking water at the expense of the employer, ending agricultural exclusions under the ESA and extending OHS protection to include the same workers, and implementing clear trigger temperatures for extreme heat and humidity, including indoor workers (e.g. in greenhouses).

A More Nuanced Approach

As you can see, these accounts reveal a cross-section of issues: the inability to find shelter from heat (both indoors and outdoors), a lack of controls put in place by employers or the Ministry, how individual circumstances can impact how people experience heat (e.g. age, sex, pregnancy), the worsening heat and outdoor air quality caused by the climate crisis, and how more precarious workers are forced to choose between a pay cheque and their health.

We do not believe these factors are considered by the proposed regulation, and urge the Ministry to employ a similar exercise, where workers’ accounts are collected, analyzed, and acted upon. An example of such a proposed interim heat standard is [U.S. Bill H.R. 4897/S. 2501](#), the Asunción Valdivia Heat Illness and Fatality Prevention Act – named in honour of a California farmer who died working under extreme heat conditions – which contemplates crucial factors like:

- engineering controls

- e.g. enhanced ventilation, air conditioning systems, and isolating or shielding workers from sources of heat
- administrative control
 - e.g. adjusting work procedures, schedules, or other work practices
- personal protective equipment
 - e.g. water-cooled garments, heat-reflective clothing, cooling vests
- health-related protocols and training/planning requirements
 - e.g. training of workers and supervisors to recognize heat-related illness and appropriate responses, such as emergency response protocols
- protection of pay
 - e.g. for rest breaks and training
- language access
 - e.g. training, posters, labels, hazard alerts, written plans are in a language understood by the workers

The OFL also proposes that workplace assessments be conducted by joint committees or worker representatives to inform mandatory heat stress policies, procedures, and programs. The written assessment would help to determine many factors, such as jobs, tasks, workers, and locations impacted or potentially impacted by heat stress. Such intel would allow for a thorough heat stress policy and program with details about the general and specific hazards at play, and how they will be addressed by controls such as PPE, adjustment of work procedures, enhanced ventilation. Workers would be required to receive training on these controls, as well as to identify heat stress.

While we appreciate that the proposed regulatory framework mentions the hierarchy of controls (which include engineering and administrative controls), our concern is that the controls proposed are focused on those ‘at the worker’ (e.g. taking internal body temperature, finding rest/shade), versus controls that change the nature of the work or workplace, such as the implementation of a work/rest cycle (administrative control along the path), or enhanced ventilation or cooling systems (an engineering control at the source).

At the end of the day, employers are the ones who must take every precaution reasonable to protect workers, and government is in a position to introduce further legislative protections that would further entrench that protection for heat stress.

Further Technical Recommendations

The WBGT requires three types of measurements: natural wet-bulb globe temperature (nWB), globe temperature (GT), and ambient temperature (dry bulb or DB) to determine the WBHT heat exposure value. While there may be evidence supporting the use of

ACGIH TLVs to set heat exposure values, this calculation is overly complicated, and its full comprehension could escape many employers, workers, and joint health and safety committees. Furthermore, the equipment used to measure values requires training for workers and supervisors to use, calibrate, and equilibrate. This equipment is costly and not always accurate. Other factors not considered by this tool include body type, pre-existing medical conditions, and medication, which can affect the body's ability to regulate heat stress – none of which are captured in this calculation.

As a more suitable and accessible alternative to the WBGT, the OFL advocates for using the Occupational Health Clinic for Ontario Workers' (OHCOW) [Humidex-based Heat Response Plan](#). It provides a five-step process to recognize, assess, and control heat exposures, as well as a description of heat-related health effects and recommended responses to each.

The history of OHCOW's Humidex tool is crucial in understanding its importance and use. In 2001, a bakery worker named Kim Douglas Warner died at 44 years old working at Weston Bakeries in Barrie. Kim had worked a 12-hour day shift in 49-degree heat, on a 34-degree day. His temperature reached 42.5 degrees Celsius when he was found unconscious near the ovens. In response to this tragedy – still remembered to this day by Barrie residents – the Canadian Auto Workers (CAW), now Unifor, approached OHCOW about a simpler way to evaluate heat stress that would be accessible for all parties (workers, employers, joint committees, or the Ministry) to use. The Oshawa General Motors (GM) assembly plant was used for the pilot story and included input from both workers and management.

By May 2002, OHCOW presented its Humidex-based plan to the Ministry of Labour where it was endorsed by the Ministry as a practical way of managing heat stress. It was further revised the same year based on suggestions from GM's experience with the tool and was formalized in 2003. Since that time – 20 years ago – the tool has been used in many workplaces, not only in Ontario, but across Canada.

The gist of the tool is that all that is required is a thermal hygrometer (a type of thermometer), which is usually under \$100 for employers to purchase in any hardware store. Using this thermometer, workers, employers, the Ministry, or the joint committee are able to arrive at the Humidex: a combination of temperature and relative humidity measurements. Included in the OHCOW Humidex tool is a chart to help correlate the temperature with the final Humidex value, as well as a table listing Humidex measurements with corresponding recommended responses.

OHCOW's Humidex Tool has been recognized by workplace sectors in Ontario. The Provincial Working Group on Health and Safety in the K-12 public education sector (PWGHS) has recommended the OHCOW chart in their guidelines. This was based on the consensus of all the stakeholders at the table, including the Ministry of Education,

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MLITSD, school board trustee associations, principal associations, and unions representing teachers and education workers.

Part of the education sector's high temperature guideline requires Hot Weather Action Plans at schools. A requirement for a site-specific plan that should be included in a regulation to ensure employer policies and programs are implemented at each location. This would include worker participation in an assessment of the location and a plan outlining roles and responsibilities for those implementing the site-specific plan if the triggers have been met.

Given its widespread acceptance, the OFL recommends that the Ministry endorse the OHCOW Humidex Chart and Response Plan as a suitable and accessible alternative to the WBGT.

Conclusion

Thank you for reviewing our submission. As the climate crisis worsens, heat stress continues to impact workers at an accelerated rate, and all sectors of indoor and outdoor workers must be covered by any regulation considered. We look forward to further consultation on the issue to ensure that workers' experiences are central to all considerations, and that controls applied are the most effective and accessible as possible.

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