



## Rising Temperatures Could Trigger Farm OSHA Inspections

Michael C. Zahrt

*Foster Swift Agricultural Law News E-Blast*

June 15, 2022

Summer is here and in Michigan that often means long periods of excessive heat and drought, making it difficult for farmers trying to nurture growing crops. This week's temperatures for Lower Michigan are expected to reach a heat index of more than 100 degrees prompting the National Weather Service to issue a Heat Advisory Warning.

Despite the excessive heat, Ag industry employees working outdoors continue to push forward with their duties. However, this issuance could bring with it unannounced Occupational Safety and Health Administration (OSHA) enforcement inspections for your Ag business.

In April 2022, OSHA announced the National Emphasis Program (NEP), aimed at eliminating/reducing worker exposures to occupational heat-related illnesses and injuries in general industry, construction, maritime and agriculture. These NEP inspections include reviewing logs and incident reports for any entries indicating heat-related illnesses and records of heat-related emergency room visits, even if no hospitalization occurred.

OSHA will also interview new employees and any returning employees for symptoms of heat stress and will also determine if the employer has implemented any precautions addressing heat exposure such as:

- Requiring water breaks
- Providing training on spotting and reporting heat illness signs
- Providing access to shaded areas

Many workers will likely not yet be acclimated to the sudden and intense rise in temperatures after months of relatively cool weather. It is important that Ag employers implement the proper precautions for their employees during these hot months to avoid both heat-related illnesses and OSHA violations.

If you have further concerns about how your Ag organization can stay OSHA compliant, contact a member of our Ag Law team or Labor & Employment Law team.

---

### **AUTHORS/ CONTRIBUTORS**

Michael C. Zahrt

---

### **PRACTICE AREAS**

Agri-Business

Business & Tax

Business Law

Employer Services

Employment Law

Labor Relations