



Baby It's Cold Outside—Employment Issues

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With much of the Northeast shivering in the unseasonably cold weather, most employees worry only about getting from home to car, train, or bus, and then to a warm workplace. However, many employees spend parts of their workdays in outside activities. What do employers need to know about this?

The U.S. Occupational Safety and Health Administration ("OSHA") does not have a specific standard for working in cold environments. However, employers have a duty to protect workers from recognized hazards, including cold stress hazards. OSHA has an informative guide for employers on dealing with cold stress:

https://www.osha.gov/dts/weather/winter_weather/windchill.html. Some of the recommended steps employers should consider:

- Employers should train workers. Training should include:
 - How to recognize the environmental and workplace conditions that can lead to cold stress.
 - The symptoms of cold stress, how to prevent cold stress, and what to do to help those who are affected.
 - How to select proper clothing for cold, wet, and windy conditions.
- Employers should:
 - Monitor workers' physical condition.
 - Schedule frequent short breaks in warm dry areas, to allow the body to warm up.
 - Schedule work during the warmest part of the day.
 - Use the buddy system (work in pairs).
 - Provide warm, sweet beverages. Avoid drinks with alcohol.
 - Provide engineering controls such as radiant heaters.

Something to think about over that hot cup of coffee.

Please note that this is a general overview of developments in the law, and does not constitute legal advice. Nothing herein creates an attorney-client relationship between the sender and recipient. If you have questions regarding these provisions, or any other aspect of employment law, please contact Thomas B. Wassel at (516) 357-3868 or twassel@cullenanddykman.com, Gerard Fishberg at (516) 357-3703 or gfishberg@cullenanddykman.com

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