

By Senator Rouson

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1                   A bill to be entitled  
2       An act relating to heat illness prevention; creating  
3       s. 448.112, F.S.; providing legislative intent;  
4       providing applicability; defining terms; requiring  
5       certain employers to implement an outdoor heat  
6       exposure safety program that has been approved by  
7       specified departments; specifying requirements for the  
8       safety program; providing responsibilities for certain  
9       employers and employees; providing exceptions;  
10      requiring specified annual training on heat illness  
11      and providing requirements for such training;  
12      requiring the Department of Agriculture and Consumer  
13      Services, in conjunction with the Department of  
14      Health, to adopt specified rules; providing an  
15      effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

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19       Section 1. Section 448.112, Florida Statutes, is created to  
20 read:

21       448.112 Heat illness prevention.-

22       (1) LEGISLATIVE INTENT.-It is the intent of the Legislature  
23 that this section educates employers and employees who work in  
24 extreme heat to prevent illness and death caused by heat  
25 exposure.

26       (2) APPLICABILITY.-

27       (a) This section applies to employers in industries where  
28 employees regularly perform work in an outdoor environment,  
29 including, but not limited to, agriculture, construction, and

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30 landscaping.

31 (b) This section does not apply to an employee required to  
32 work in an outdoor environment for fewer than 15 minutes per  
33 hour for every hour in the employee's entire workday.

34 (c) This section is supplemental to all related industry-  
35 specific standards.

36 (3) DEFINITIONS.—As used in this section, the term:

37 (a) "Acclimatization" means the temporary adaptation of a  
38 person to work in the heat which occurs when a person is  
39 gradually exposed to heat over a 2-week period at a 20 percent  
40 increase in heat exposure per day.

41 (b) "Drinking water" means potable water. The term includes  
42 electrolyte-replenishing beverages that do not contain caffeine.

43 (c) "Employee" means a person who performs services for and  
44 under the control and direction of an employer for wages or  
45 other remuneration. The term includes an independent contractor  
46 and a farm labor contractor as defined in s. 450.28(1).

47 (d) "Employer" means an individual, a firm, a partnership,  
48 an institution, a corporation, an association, or an entity  
49 listed in s. 121.021(10) which employs individuals.

50 (e) "Environmental risk factors for heat illness" means  
51 working conditions that create the possibility of heat illness,  
52 including air temperature, relative humidity, radiant heat from  
53 the sun and other sources, conductive heat from sources such as  
54 the ground, air movement, workload severity and duration, and  
55 protective clothing and equipment worn by an employee.

56 (f) "Heat illness" means a medical condition resulting from  
57 the body's inability to cope with a particular heat level. The  
58 term includes heat cramps, heat exhaustion, heat syncope, and

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59 heat stroke.

60 (g) "Outdoor environment" means a location where work  
61 activities are conducted outside. The term includes indoor  
62 locations such as sheds, tents, greenhouses, or other structures  
63 where work activities are conducted inside, but the temperature  
64 is not managed by devices that reduce heat exposure and aid in  
65 cooling, such as air conditioning systems.

66 (h) "Personal risk factors for heat illness" means factors  
67 specific to an individual, including his or her age; health;  
68 pregnancy; degree of acclimatization; water, alcohol, or  
69 caffeine consumption; use of prescription medications; or other  
70 physiological responses to heat.

71 (i) "Recovery period" means a cool-down period to reduce an  
72 employee's heat exposure which aids the employee in cooling down  
73 and avoiding the signs or symptoms of heat illness.

74 (j) "Shade" means an area that is not in direct sunlight.

75 (k) "Supervisor" has the same meaning as in s. 448.101.

76 (4) RESPONSIBILITIES.—An employer of employees who  
77 regularly work in an outdoor environment shall implement an  
78 outdoor heat exposure safety program that has been approved by  
79 the Department of Agriculture and Consumer Services and the  
80 Department of Health and which, at a minimum:

81 (a) Trains and informs supervisors and employees about heat  
82 illness, how to protect themselves and coworkers, how to  
83 recognize signs and symptoms of heat illness in themselves and  
84 coworkers, and appropriate first-aid measures that can be used  
85 before medical attention arrives in the event of a serious heat-  
86 related illness event.

87 (b) Provides preventive and first-aid measures, such as

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88 loosening clothing, loosening or removing heat-retaining  
89 protective clothing and equipment, accessing shade, applying  
90 cool or cold water to the body, and drinking cool or cold water,  
91 to address the signs or symptoms of heat illness.

92 (c) Implements the following high-heat procedures, to the  
93 extent practicable, when an employer, a manager, a supervisor,  
94 or a contractor determines that the outdoor heat index equals or  
95 exceeds 90 degrees Fahrenheit:

96 1. Make available an effective voice, observational, or  
97 electronic communication system that allows an employee to  
98 contact an employer, a manager, a supervisor, a contractor, or  
99 an emergency medical services provider if necessary.

100 2. Provide a sufficient amount of cool or cold drinking  
101 water at a location that is quickly and easily accessible from  
102 the area where employees work to accommodate all employees  
103 throughout the workday.

104 3. Ensure that each employee takes a 10-minute recovery  
105 period within every 2 hours that the employee works in an  
106 outdoor environment under high-heat conditions. The recovery  
107 period may be concurrent with a meal period required by law if  
108 the timing of the recovery period coincides with a required meal  
109 period.

110 (5) DRINKING WATER.—An employer shall ensure that a  
111 sufficient quantity of cool or cold, clean drinking water is at  
112 all times readily accessible and free of charge to employees who  
113 work in an outdoor environment. The drinking water must be  
114 located as close as practicable to the areas where employees  
115 work. If drinking water is not plumbed or otherwise continuously  
116 supplied, an employer must supply a sufficient quantity of

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117 drinking water at the beginning of the workday so that each  
118 employee has at least 1 quart of drinking water per hour for  
119 every hour in the employee's entire workday. An employer may  
120 supply a smaller quantity of drinking water at the beginning of  
121 the workday if the employer has adequate procedures in place to  
122 allow the employee access to drinking water as needed so that  
123 the employee has at least 1 quart of drinking water per hour for  
124 every hour in the employee's entire workday.

125 (6) ACCESS TO SHADE.—

126 (a) When a supervisor determines that the outdoor heat  
127 index equals or exceeds 80 degrees Fahrenheit, the employer  
128 shall maintain one or more areas with shade which are open to  
129 the air or offer ventilation or cooling at all times in the area  
130 where employees are working. The amount of available shade must  
131 be able to accommodate all of the employees participating in a  
132 given recovery period in a manner that does not place them in  
133 physical contact with one another.

134 (b) If an employee exhibits mild to moderate signs or  
135 symptoms of heat illness, the employer must relieve the employee  
136 from duty, provide him or her with access to shade for at least  
137 15 minutes or until such signs or symptoms of heat illness have  
138 abated, and monitor the employee to determine whether medical  
139 attention is necessary. If such signs or symptoms do not abate  
140 within such time period, the employer must seek medical  
141 attention for the employee in a timely manner. If an employee  
142 exhibits serious signs or symptoms of heat illness, the employer  
143 must immediately seek medical attention for the employee and  
144 provide first-aid measures.

145 (c) If an employer can demonstrate that it is unsafe or not

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146 feasible to provide an area with shade, the employer may provide  
147 alternative cooling measures as long as the employer can  
148 demonstrate that such measures are at least as effective as an  
149 area with shade in reducing heat exposure.

150 (7) TRAINING.—An employer shall provide annual training on  
151 heat illness which has been approved by the Department of  
152 Agriculture and Consumer Services and the Department of Health  
153 to all employees and supervisors in the languages understood by  
154 a majority of the employees and supervisors. Each employee who  
155 regularly works in, or who is in the process of acclimatization  
156 to, an outdoor environment must participate in the training  
157 provided by the employer. Training materials must be written and  
158 available in English and in the languages understood by a  
159 majority of the employees and supervisors. Supervisors shall  
160 make such written materials available upon request.

161 (a) Training on all of the following topics must be  
162 provided to all employees who work in an outdoor environment:

163 1. The environmental risk factors for heat illness.  
164 2. General awareness of personal risk factors for heat  
165 illness and how an employee can monitor his or her own personal  
166 risk factors for heat illness.

167 3. The importance of loosening clothing and loosening or  
168 removing heat-retaining protective clothing and equipment, such  
169 as nonbreathable chemical-resistant clothing and equipment,  
170 during all recovery and rest periods, breaks, and meal periods.

171 4. The importance of frequent consumption of cool or cold  
172 drinking water.

173 5. The concept, importance, and methods of acclimatization.

174 6. The common signs and symptoms of heat illness,

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175 including, but not limited to, neurological impairment,  
176 confusion, or agitation.

177 7. The importance of an employee immediately reporting to  
178 the employer, directly or through a supervisor, if the employee  
179 or a coworker exhibits signs or symptoms of heat illness, and  
180 the importance of receiving immediate medical attention for  
181 those signs or symptoms.

182 8. The importance of following the employer's outdoor heat  
183 exposure safety program and related high-heat procedures.

184 (b) Training on all of the following topics must be  
185 provided to all supervisors before they are authorized to  
186 supervise employees who work in an outdoor environment:

187 1. Information that must be provided to employees.

188 2. Procedures that must be followed to implement an outdoor  
189 heat exposure safety program.

190 3. Procedures that must be followed when an employee  
191 exhibits or reports any signs or symptoms of heat illness.

192 4. Procedures that must be followed when transporting an  
193 employee who exhibits or reports any signs or symptoms of heat  
194 illness to an emergency medical services provider in a timely  
195 manner.

196 (8) RULEMAKING.—The Department of Agriculture and Consumer  
197 Services, in conjunction with the Department of Health, shall  
198 adopt rules to implement this section, including, but not  
199 limited to, approved training programs, approved trainers, and a  
200 certification process to acknowledge an employer's compliance  
201 with the training requirements established by this section.

202 Section 2. This act shall take effect October 1, 2025.