

SENATE No. 1357

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing protections for workers in hot conditions.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|-------------------------|------------------------------------|------------------|
| <i>Mark C. Montigny</i> | <i>Second Bristol and Plymouth</i> | |
| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> | <i>2/10/2025</i> |

SENATE No. 1357

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 1357) of Mark C. Montigny and Jason M. Lewis for legislation to establish protections for workers in hot conditions. Labor and Workforce Development.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act establishing protections for workers in hot conditions.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 149 of the General Laws, as appearing in the 2022 Official
2 Edition, is hereby amended by inserting after section 203 the following new section:-

3 Section 204. (a) As used in this section, the following words shall have the following
4 meanings unless the context clearly requires otherwise:

5 “Heat Illness”, a serious medical condition resulting from the body's inability to cope
6 with a particular heat load, and includes heat cramps, heat exhaustion, heat syncope and heat
7 stroke.

8 "Heat Index", a measure that combines the temperature and humidity as defined by the
9 U.S. National Oceanographic and Atmospheric Administration.

(b) Employees shall have access to potable drinking water that is fresh, pure, suitably cool, and provided to employees free of charge. The water shall be located as close as practicable to the areas where employees are working.

(c) (1) When the heat index in the work area exceeds 80 degrees Fahrenheit, the employer shall have and maintain one or more areas with shade at all times while employees are present that are either open to the air or provided with ventilation or cooling. The amount of shade present shall be at least enough to accommodate the number of employees on recovery or rest periods, so that they can sit in a normal posture fully in the shade without having to be in physical contact with each other. The shade shall be located as close as practicable to the areas where employees are working. Subject to the same specifications, the amount of shade present during meal periods shall be at least enough to accommodate the number of employees on the meal period who remain onsite.

(2) Employees shall be allowed and encouraged to take a preventative cool-down rest in the shade when they feel the need to do so to protect themselves from overheating. Such access to shade shall be permitted at all times. An individual employee who takes a preventative cool-down rest (A) shall be monitored and asked if he or she is experiencing symptoms of heat illness and (B) shall not be ordered back to work until any signs or symptoms of heat illness have abated.