

**Testimony of Congresswoman Judy Chu**  
**The House Education and Labor, Subcommittee on Workforce Protections**  
**“From the Fields to the Factories: Preventing Workplace Injury and Death from Excessive Heat**  
**July 11, 2019**

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Chairwoman Adams, Ranking Member Byrne, and members of the Subcommittee:

Thank you for inviting me to speak about the importance of federal heat standards to protect workers. I have been passionate about this issue for well over a decade, when I first carried a heat protection bill in the California Legislature in 2005. I am thrilled that this subcommittee is now holding a hearing on this topic.

Yesterday, I introduced the “Asuncion Valdivia Heat Illness and Fatality Prevention Act”. Asuncion was a farmworker, and his story is one I can never forget. One day, Asuncion picked grapes for 10 hours straight - in 105-degree temperatures; then he fell over, unconscious. Instead of calling an ambulance, his employer, Giumarra Vineyards, instructed Mr. Valdivia’s son to drive him back home. On the way home, the father started foaming at the mouth, and ultimately died of heat stroke. A son had to witness his father die a preventable death at the age of 53.

It’s important to note that while Asuncion’s death was 100% preventable, his employer never broke a law, despite 15 years of farmworkers fighting for protections. Well, after Asuncion’s death, I knew we had to act. So, I carried a bill in the California legislature to require water, shade and rest periods to protect all outdoor workers. And I am proud that, thanks to my bill, California became the first state in the country to protect farm workers from the elements.

The bill we introduced yesterday similarly establishes a federal standard for heat stress protections by directing OSHA to adopt a final standard on the prevention of occupational exposure to excessive heat, both in indoor and outdoor environments. A number of these measures are common sense precautions like ensuring that workers who are in high heat environments have paid breaks in cool environments, access to water for proper hydration, and limitations on how long workers can be in high heat areas. The bill also directs the standard to include training for employers and employees on heat stress illness and prevention and requires employers to implement acclimatization plans to ensure workers can adjust to their working conditions to reduce injury. Washington and Minnesota currently have heat protections for workers in place, and the U.S. Military also has its own heat protection standards. It’s time that the rest of the country’s workers are equally protected.

Working in hot conditions raises the body’s internal temperature to dangerous levels. Without rest or cooling, workers suffer from heat stroke or heat exhaustion. That can bring on dizziness, nausea, or fainting. Eventually, their kidneys break down, and, in just the span of one 8 to 10-hour shift, a worker can fall into a coma and die. According to a 2015 study by the Occupational Safety and Health Administration (OSHA), exposure to heat led to 37 work-related deaths and 2,830 nonfatal occupation injuries and illnesses.

Now, not only do we know this is happening each year, but we also know it is getting worse. Just last week, a new report by Moody's Analytics found that rising temperatures from global warming could cost the global economy as much as \$69 trillion by 2100, thanks in part to the impact on workers' health. And yet, OSHA does not have a federal standard that requires the breaks, shade, or water that we know can prevent this, they merely suggest them.

I am pleased that the committee is taking the first important step to shine a light on this problem, and I hope the committee will continue to move the Asuncion Valdivia Heat Illness and Fatality Prevention Act forward, so we can be one step closer to protecting workers from heat stress in all 50 states. Thank you again for allowing me to testify on this important issue.