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Workplace Heat Safety Obligations for City of Phoenix Contractors

The last thing many Phoenicians want to think about now is the summer. Nevertheless, for companies with employees or contract workers who work outdoors, now is the time to ensure you're in compliance with Phoenix's workplace heat safety ordinance.

In March 2024, the City of Phoenix adopted Ordinance G-7241, which added Phoenix City Code § 18-411 *et seq*. requiring certain entities to mitigate heat-related illnesses and injuries in the workplace. The ordinance applies to any contractor who retains individuals who work outdoors under a City of Phoenix contract, lease, or license. Covered entities must implement heat safety and mitigation plans to prevent heat-related illnesses and injuries in the workplace.

The ordinance also requires all contracts between the City of Phoenix and its covered contractors to include specific provisions relating to heat safety plans. This heat safety contract language must also be included in: (a) contracts between the contractor and its subcontractors, sublicensees, and sublessees; and (b) contracts between the contractor's subcontractors, sublicensees, and sublessees and third parties with which they contract to perform labor or services.

The ordinance requires, among other things, covered companies to provide free sanitized cool drinking water to outdoor workers, breaks for hydration, and access to shaded areas and air conditioning. Notably, covered companies must provide access to air conditioning in vehicles with enclosed cabs by no later than May 1, 2025.

Covered companies must also implement effective acclimatization practices for individuals newly assigned or reassigned to work outside and make training

available to outdoor workers on heat illness and injury and related topics.

Contractors found to be out of compliance with the law run the risk of, among other things, the City of Phoenix canceling or suspending their contract or suspending or debarring the contractor.

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