



**CITY OF SAN ANTONIO  
OFFICE OF THE CITY COUNCIL  
COUNCIL CONSIDERATION REQUEST**

TO: Mayor and City Council

FROM: Councilwoman Ana E. Sandoval, District 7  
Councilwoman Dr. Adriana Rocha Garcia, District 4

COPIES TO: Erik Walsh, City Manager; Debbie Racca-Sittre, Interim City Clerk; Andy Segovia, City Attorney; John Peterek, Assistant to the City Manager; Emily McGinn, Assistant to City Council

SUBJECT: Task Force on Heat Illness Prevention for Construction Workers

DATE: April 28, 2022

Issue Proposed for Consideration

We ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the Governance Committee:

Creation of an ad hoc task force charged with evaluating and recommending heat illness prevention measures the City and Construction industry can take to ensure construction worker safety.

Brief Background

Heat-related illness poses a significant risk to construction workers across the United States. Between 1992 and 2016, construction workers, who accounted for 6% of the U.S. workforce, accounted for over one third of occupational deaths due to heat exposure. About 75% of these fatalities occurred during the summer months. Increased summer temperatures during the same time period were associated with a higher number of heat-related illness, as well.<sup>1</sup> Non-fatal heat related injuries are even more common, but often go unreported.<sup>2</sup>

Additionally, Hispanic workers appear to be at higher risk. Hispanics account for one third of all heat-related fatalities in the US since 2010, but account for only 17% of the workforce.<sup>3</sup>

Three factors make this issue urgent for San Antonio to consider. First, San Antonio has hot summers—and they are projected to become more severe. According to projections prepared for the City’s Climate Action & Adaptation Plan, in the best case scenario, San Antonio will experience 55 days over 100 degrees Fahrenheit during the summer.<sup>4</sup> As it is, we are already seeing record high heat in the summer months.<sup>5,6</sup> Second, San Antonio’s continued growth makes it a booming construction market. As such, there is a large population of construction workers who will benefit from heat illness prevention measures such as shade and water breaks. Finally,

<sup>1</sup> [Heat related deaths among construction workers in the United States](#), American Journal of Industrial Medicine, 2019  
<sup>2</sup> [CDC Blog: Heat Stress in Construction](#), CDC, 2020  
<sup>3</sup> [The Biden Administration is Adding Worker Protections to Address Extreme Heat](#), NPR, 2021  
<sup>4</sup> [Climate Projections for the City of San Antonio](#), SA Climate Ready, 2018  
<sup>5</sup> [San Antonio sees one of the hottest Julys on record](#), KSAT, 2020  
<sup>6</sup> [Monday was San Antonio’s hottest day in seven years](#), KSAT, 2020

059 - CITY CLERK  
2022 APR 28 PM 2:45:36



**CITY OF SAN ANTONIO  
OFFICE OF THE CITY COUNCIL  
COUNCIL CONSIDERATION REQUEST**

this proposal is consistent with the objectives of the Climate Action & Adaptation Plan, particularly adaptation to a warming climate, the City's commitment to racial equity, and the City's ambitious vision for improved public health in our community.


Currently, the Occupational Safety Hazard Administration (OSHA) does not regulate heat illness prevention in the workplace, but does provide general guidance. While OSHA has recently begun a rulemaking process for a heat-specific workplace standard, it is critical that we consider locally tailored solutions and local support for our own companies and workers when it comes to this urgent worker safety problem.


Therefore, we are requesting City staff convene an ad hoc task force of stakeholders from the construction industry's workforce and management, as well as subject matter and occupational health experts. The task force would be charged with (1) considering potential locally tailored heat safety measures, (2) recommending measures to City Council, and (3) evaluating the success of the first year of implementation of any adopted measures.

Among the potential heat safety measures, the task force should consider:

1. Educational and training resources on heat illness prevention provided by the City;
2. An ordinance requiring construction companies to provide workers with a 10-minute break in the middle of every four hours of work, such as has been adopted in Austin and Dallas (additional background attached); and
3. An ordinance requiring construction companies operating in the City of San Antonio to submit a heat illness prevention plan to the City on a regular basis and display the plan at worksites.



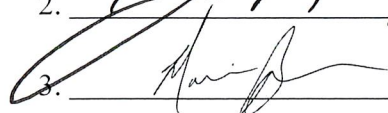
Submitted for Council consideration by:

  
\_\_\_\_\_  
Councilwoman Ana E. Sandoval, District 7

  
\_\_\_\_\_  
Councilwoman Dr. Adriana Rocha Garcia, District 4

Supporting Councilmembers' Signatures

District

1.		5
2.		2
3.		1

2022 APR 29 PM 02:49:47  
COSA - CITY CLERK



CITY OF SAN ANTONIO  
OFFICE OF THE CITY COUNCIL  
COUNCIL CONSIDERATION REQUEST

*Background on Rest Break Ordinances*

Several states have implemented rest break ordinances, including Alabama, Alaska, California, Colorado, Kentucky, Minnesota, Nevada, Oregon, and Washington. California also has its own heat standard—a safety limit of 80 degrees and requirements for additional preparation for extreme heat threats on days when the temperature is over 95 degrees—that is widely considered the gold standard.<sup>78</sup>

In Texas, there are currently no rest break requirements at the state level, although there have been attempts to implement such a rule. In 2017, the Texas Senate considered Senate Bill 473, which “would require 15-minute rest breaks for every four hours of work on construction sites across Texas.”<sup>9</sup> This bill did not make it out of committee. A similar bill was proposed in 2015, but was not heard.

In the absence of a state law, some Texas cities have adopted local rest break ordinances. Austin implemented a rest break ordinance in 2010, requiring 10-minute breaks in the middle of every four hours of work. Dallas implemented a similar rest break ordinance in 2016.<sup>1011</sup>

---

<sup>7</sup> [Heat Illness Prevention in Outdoor Places of Employment](#), California Code of Regulations, 2020

<sup>8</sup> [Heat is Killing Workers in the U.S. - And There Are No Federal Rules to Protect Them](#), NPR, 2021

<sup>9</sup> [Senate panel considers requiring rest breaks for Texas construction workers](#), The Texas Tribune, 2017

<sup>10</sup> [Rest Break Ordinance](#), City of Austin, 2010

<sup>11</sup> [City of Dallas Rest Break ordinance to take effect Jan. 1](#), City of Dallas, 2015

