



NEW YORK STATE SENATOR

Jessica Ramos

## State Labor Chairs Introduce Temperature Extremes Mitigation Program

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**NEW YORK CITY, NY** - Standing with leadership and rank-and-file members of Teamsters JC-16, New Immigrant Community Empowerment, La Colmena Workers Center, and RWDSU, **State Senator Jessica Ramos and Assembly Member Latoya Joyner** introduced new legislation today, aimed at protecting workers from extreme temperatures brought on by climate change.

Every year, New York city has high numbers of heat-related emergency department visits, hospital admissions, and deaths. According to the New York City Office of the Mayor, each year there are an estimated 450 heat-related ED visits, 150 heat-related hospital admissions, 10 heat stroke deaths, and 350 heat-exacerbated deaths, caused by heat-worsening existing chronic conditions.

The Temperature Extreme Mitigation Program, or T.E.M.P, ([S1604/A3321](#)) creates a statewide workplace standard on heat and cold that will cover workers in agriculture, construction, landscaping, delivery, and food service, indoor and outdoor, including vehicles.

“My responsibility as Senate Labor Chair is to find any gaps or loopholes in our labor laws that leave working people vulnerable. The entire country was horrified to see the condition that UPS drivers experienced in trucks without proper air conditioning, and unfortunately, they are not alone in that experience,” said State Senator Jessica Ramos (D-Queens, 13th SD). “We saw it in Buffalo during last December’s blizzard, and we saw it last summer as workers pushed through an unbearable summer. Workers are a front-line climate community, and our labor protections must reflect the danger they face on the job.”

Currently, federal OSHA has no narrowly tailored standards for protection against extreme temperatures. Instead, courts have interpreted weather-related injury through the “General Responsibility” clause and deferred to the states to legislate more specific protections. States like California, Washington, and Minnesota have all introduced their own heat standards, but TEMP is the first to protect bill to protect workers from extreme temperatures on both ends of the spectrum.

“Research shows the harmful and dangerous impact of long-term exposure to excessive temperatures and employers are often dragging their feet in the face of this growing body of research. As a result, employees have too often been left out in the cold when they are

feeling the heat,” Assemblywoman Latoya Joyner (D-Bronx, 77<sup>th</sup> AD) , chair of the Assembly Labor Committee, said. “This legislation ensures that employees have access to basic resources that can save lives such as; hydration, warmth in the winter and access to shade when the temperature goes above 80 degrees in the summer. The Temperature Stress Act provides long overdue relief to working New Yorkers and I look forward to it being enacted this year.”

TEMP is the latest in a series of worker health and safety bills sponsored by the respective State Senate and Assembly Labor Chairs, who last year teamed up to pass the Warehouse Worker Protection Act, Salary Disclosure Legislation, and Light Duty Pregnancy Protections for Rail Workers.



Vincent Perrone, President of  
Teamsters Local 804  
  
photo credit: International  
Brotherhood of Teamsters, JC-16



Chris Cappadonna, a UPS Driver who  
fainted from heat exhaustion last  
summer on the job

Among the supporters of the bill are the International Brotherhood of Teamsters, Joint Council 16 and Local 804, who are entering into company-wide contract negotiations this

year with UPS. Teamsters Local 804 President Vincent Perrone said, "It is getting hotter every summer and companies like UPS are refusing to take even basic steps to protect workers on the job. These trucks and warehouses are like ovens. Several of my members ended up in the ER during last year's heat wave. We are fighting for new union contract language to protect ourselves, and we are fighting for this legislation so that not one more worker collapses on the job from heat stress."

"Last summer, I was delivering packages for UPS on one of the hottest days of the year," said Chris Cappadonna, Teamsters Local 804 member. "I was assigned 170 stops and felt pressure to complete them. I started to feel light headed, clammy, and my hands locked up. If two city sanitation workers didn't spot me and bring me to their air-conditioned truck, it could have turned out a lot worse. I went to the ER and was diagnosed with heat exhaustion. We need to pass this legislation so that workers can do their jobs and go home safely."

"Climate change is here now, and workers in both extreme heat and extreme cold are facing the consequences. We need the TEMP Bill to put in place protective measures so that workers do not get ill or die as a result of their exposure to the elements," said Charlene Obernauer, Executive Director, NYCOSH.

"At NICE, we believe that climate justice is immigrant worker justice," said Nilbia Coyote, Executive Director at New Immigrant Community Empowerment (NICE). "Even in extreme weather, immigrant New Yorkers still go to work. Our community, most of whom work outdoors year-round, deserve to be protected from weather-related injury, illness or dangers."

This is an important step in ensuring that essential workers laboring in New York City's most vital industries stay safe and are able to thrive."

"Somos parte de la obra que ha construido la fortaleza de este país. Somos trabajadores esenciales y pedimos que terminen estas condiciones," said Elizabeth Arias, member of NICE.



Senator Jessica Ramos & crowd



Alexandria Arias, NICE Member and day laborer

The legislation has been introduced into each chamber's respective labor committees. Upon returning to Albany, the sponsors and supporters of TEMP will begin to build support for the bill and intend to fight for its passage before legislative session ends in June of this year.

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## RELATED LEGISLATION

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### 2023-S1604A

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Provides for the regulation of all indoor and outdoor worksites

January 13, 2023

In Senate Committee **Finance**

Sponsored by **Jessica Ramos**

Do you support this bill?