

## CALIFORNIA INDUSTRIAL HYGIENE COUNCIL



Assemblyman Joaquin Arambula  
1021 O Street, Suite 6130  
Sacramento, CA 95814

April 9, 2024

### **RE: OPPOSITION to AB 2264 (Arambula) Occupational Safety and Health: Heat Illness Prevention Certification**

Dear Assemblyman Arambula,

Regretfully, the California Industrial Hygiene Council (CIHC) has taken an oppose position on your AB 2264 as explained below.

CIHC fully understands the hazards of heat illnesses and the importance of prevention. The primary reason for opposing AB 2264 is that employers have the responsibility for providing a safe and healthful workplace for their employees, not Cal/OSHA. Well-established requirements, notably in 8 CCR 3395-Heat Illness Prevention, provide a robust framework to prevent heat illnesses. The employer is responsible for the implementation of requirements which includes assessment of their operational risks and mitigation measures, including providing employee training. By specifying that employees obtain a heat illness prevention certification provided by the “division” (Cal/OSHA), an important responsibility has been inappropriately shifted to the employee. The crucial aspects for preventing heat illness are for employers to vigorously implement their responsibilities and for Cal/OSHA to vigorously enforce the requirements. CIHC’s view is that AB2264 would shift the burden to employees for the responsibility of obtaining training and having to show proof of certification to their employer (or prospective employer) for employment. A division-provided training and certification process for employees will not address possible underlying operational factors impacting potential adverse outcomes. The term “certification” suggests an inflated level of knowledge and responsibility.

The CIHC Board members review, monitor and comment on legislation which may impact the occupational environmental health and safety (OEHS) profession, but also on legislation which may impact occupational and environmental health and safety in general. This includes legislation which CIHC believes may have an impact on our stakeholders – the community and workers of California. CIHC (<https://www.cihconline.com/about-cihc>) was founded in 1990 to establish a legislative presence in the State Capitol for the OEHS profession. It is supported by the local sections of the American Industrial Hygiene Association (AIHA) within California.

Respectfully,

A handwritten signature in cursive script, reading "Pamela Murcell". The signature is written in dark ink on a light-colored background.

Pamela Murcell, MS, CIH  
President, California Industrial Hygiene Council

*Catherine Barankin*

Catherine Barankin  
Public Policy Director

