

FARMWORKERS NEED COMMONSENSE PROTECTIONS FROM HEAT

Hundreds of North Carolina workers visit the emergency room or miss at least one day of work every year because of heat-related illnesses.¹ Some tragically lose their lives. In 2023, sweet potato harvester José Arturo González Mendoza died from heat-related causes, which the North Carolina Department of Labor (NCDOL) later tied to his employer's failures to keep workers safe.² One study led by researchers at the University of North Carolina, Chapel Hill, conservatively estimates that at least 25 people in North Carolina died from heat-related causes on the job from 1999 to 2017.³



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THESE HEAT DEATHS WERE PREVENTABLE

Commonsense safeguards such as written heat illness prevention plans, paid time to cool down and rehydrate, acclimatization protocols to help new and returning workers get used to the heat, and appropriate first-aid training for workers and supervisors should be the norm. However, the State of North Carolina does not have a workplace heat standard that explicitly requires these essential protections.

The lack of a specific heat standard puts farmworkers in danger every time the temperature soars. A study of work-related heat deaths from 2000 to 2010 found that agriculture had by far the highest annual death rate of any industry.⁴ Most of North Carolina's approximately 150,000 farmworkers are from Mexico and Central America and frequently face workplace discrimination and fear of retaliation for reporting unsafe conditions, among other challenges.⁵

THE LACK OF BASIC HEAT PROTECTIONS FOR FARMWORKERS IS ALSO COSTLY FOR EMPLOYERS—AND THE ECONOMY

Extreme heat can drive up workers' compensation costs and reduce productivity even if workers don't get sick or injured.⁶ No one does their best work when they are overheated.

NCDOL should immediately develop an occupational heat standard that requires employers to provide:

- Ready access to cool drinking water at no cost;
- Access to quality shade or mechanically cooled spaces;
- Mandatory, paid cool-down periods;
- An adjustment period for new and returning workers during times of high heat;
- A heat stress prevention program and emergency response procedures; and
- Annual heat stress prevention training in a language and manner that all employees can understand.

These elements have been recommended for decades by health and safety experts, scientists, and workers, and are standard practice across the U.S. military.⁷

The North Carolina General Assembly should also fully fund NCDOL to ensure it has the necessary resources and staff to keep workers safe.

Heat is the deadliest form of extreme weather in the United States, and summers are only getting hotter.⁸ The good news is that heat deaths are preventable with the right precautions in place.

North Carolina's essential workers can't wait for essential protections from the heat.

ENDNOTES

- 1 National Environmental Public Health Tracking Network, "Heat & Heat-Related Illness (HRD): Worker Health," accessed June 7, 2024, <https://ephrtracking.cdc.gov/DataExplorer/>; North Carolina Department of Health and Human Services, "Emergency Department (ED) Visits for Occupational Heat-Related Illness in North Carolina, 2017-2019" (unpublished data via email from Autumn Locklear, March 9, 2023).
- 2 Lisa Worf, "NC Farm Fined \$187,500 for Labor Violations After Death of Worker," WFAE, March 12, 2024, <https://www.wfae.org/business/2024-03-12/nc-farm-fined-187-000-for-labor-violations-after-death-of-worker>.
- 3 Elizabeth S. McClure et al., "Heat-Related Fatalities in North Carolina 1999-2017," *American Journal of Industrial Medicine* 67, no. 6 (2024): 551-555, <https://doi.org/10.1002/ajim.23587>.
- 4 Diane M. Gubernot, G. Brooke Anderson, and Katherine L. Hunting, "Characterizing Occupational Heat-Related Mortality in the United States, 2000-2010: An Analysis Using the Census of Fatal Occupational Injuries Database," *American Journal of Industrial Medicine* 58, no. 2 (2015): 203-211, <https://onlinelibrary.wiley.com/doi/10.1002/ajim.22381>.
- 5 Farmworker Unit, "About NC Farmworkers: Demographics," Legal Aid of North Carolina, accessed June 10, 2024, <https://www.farmworkerlanc.org/about-nc-farmworkers/demographics/>; Claudia Rivera Cotto and Grace Vitaglione, "Migrant Farmworkers in NC Face a Challenging System," *Carolina Public Press*, December 13, 2023, <https://carolinapublicpress.org/62478/migrant-farmworkers-nc-power-dynamics/>.
- 6 See, e.g., Garrett Bradford et al., *Excessive Heat in North Carolina: Impacts on Workers Compensation Costs and Healthcare Services Utilization and Claims*, Milliman, June 2023, <https://www.milliman.com/en/insight/excessive-heat-in-north-carolina>; Coral Davenport, "Heat Is Costing the U.S. Economy Billions in Lost Productivity," *New York Times*, July 31, 2023, <https://www.nytimes.com/2023/07/31/climate/heat-labor-productivity-climate.html>.
- 7 See, e.g., National Institute for Occupational Safety and Health, *Criteria for a Recommended Standard: Occupational Exposure to Hot Environments*, 1972, <https://www.cdc.gov/niosh/docs/72-10269/default.html>; see, e.g., U.S. Army Public Health Center, "Heat Illness Prevention Pocket Guide," 2020, https://home.army.mil/wood/application/files/8416/2765/1794/Heat_Illness_Pocket_Guide.pdf.
- 8 National Weather Service, "Weather Related Fatality and Injury Statistics," accessed June 4, 2024, <https://www.weather.gov/hazstat/>; North Carolina State Climate Office, "Climate Trends Plotter," accessed June 14, 2024, <https://products.climate.ncsu.edu/climate/trends/>.