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## **New Emergency Regulations to Protect Outdoor Workers from Wildfire Smoke**

On July 18, 2019, the California Department of Industrial Relations, Occupational Safety and Health Standards Board (“Board,” also known as “Cal/OSHA”), adopted emergency regulations designed to protect outdoor workers from wildfire smoke.

The new rules apply to workplaces where the current Air Quality Index (“AQI”) for PM<sub>2.5</sub> is 151 or greater, and the employer should reasonably anticipate that employees may be exposed to wildfire smoke. The regulations do not apply to workplaces in enclosed buildings, structures or vehicles in which the air is filtered, where employees would be exposed to an AQI for PM<sub>2.5</sub> of 151 or greater for a total of one hour or less during a shift, or to firefighters engaged in wildland firefighting.

When applicable, the wildfire regulations establish the following requirements:

- Employers must determine employee exposure to PM<sub>2.5</sub> before each shift and periodically thereafter, as needed;
- Employers must provide training and instruction for employees regarding the effects of wildfire smoke, and establish an effective communication system regarding wildfire smoke hazards, the current AQI for PM<sub>2.5</sub>, and encouraging employees to inform employers of worsening air quality and/or the onset of physical symptoms of wildfire smoke exposure;
- Employers must reduce employee exposure to wildfire smoke if feasible. This can include adjusting work schedules, working in a structure with filtered air, working in a vehicle with filtered air, or providing respiratory protective equipment.

The emergency regulations will remain in effect for a minimum 180 days following a brief review by the Office of Administrative Law and filing with the Secretary of State.

The regulations may become permanent should Cal/OSHA review the rules through a standard rulemaking process within the time period the emergency rules are in effect.

For the full text of the emergency regulations click [here](#).

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