

May 9, 2025

The Honorable Tim Walberg
Chairman
House Education & Workforce Committee
2176 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Bobby Scott
Ranking Member
House Education & Workforce Committee
2101 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Walberg and Ranking Member Scott,

The undersigned organizations, representing small businesses and businesses in a variety of industries across the country, urge the House Education & Workforce Committee to pass legislation preventing the finalization of the Biden Administration's Occupational Safety and Health Administration (OSHA) Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings, or OSHA Heat Standard, and to prevent a future administration from undertaking a similar rulemaking.

The proposed OSHA Heat Standard is a one-sized-fits-all approach that would add onerous new mandates on businesses across the country without regard to regional climate differences or industry specific job functions. Specifically, the rule would require employers in general industry and construction, maritime, housing, and agricultural sectors to identify heat hazards, implement engineering and work practice heat control measures, implement a heat illness and emergency response plan, train personnel, and retain records.

We recognize that excessive heat can adversely affect the health of an individual. But to be clear, heat injuries can stem from a variety of circumstances, most of which occur outside of the workplace and outside of work. OSHA is bound by statute to regulate based on occupational safety and health hazards, not public health hazards. Heat injury and illness is a broader public health hazard. OSHA does not have the authority to regulate based on heat.

The Committee can eliminate the potential for this burdensome regulation to be finalized and prevent a future OSHA Heat Standard from being pursued by future administrations. Congress must act to clarify that OSHA cannot undertake this rulemaking and in doing so prevent onerous regulatory compliance burdens from being imposed on American businesses.

The undersigned organizations are grateful for your leadership to eliminate this burdensome rule and prevent increasing compliance burdens and red tape on millions of America's job creators.

Sincerely,

Alliance for Chemical Distribution
American Bakers Association
American Building Materials Alliance
American Craft Spirits Association
American Short Line and Regional Railroad Association
American Supply Association
Drycleaning & Laundry Institute
Global Cold Chain Alliance
Heating, Air-conditioning, & Refrigeration Distributors International
Independent Electrical Contractors, Inc.
Job Creators Network
Mason Contractors Association of America
National Apartment Association
National Association of Electrical Distributors
National Federation of Independent Business
National Lumber and Building Material Dealers Association
National Ready Mixed Concrete Association
National Restaurant Association
National RV Dealers Association
National Small Business Association
NATSO, Representing America's Travel Centers and Truck Stops
North American Association of Food Equipment Manufacturers
Pool & Hot Tub Alliance
Small Business & Entrepreneurship Council
Steel Manufacturers Association
Steel Tank Institute/Steel Plate Fabricators Association