

Subject: Concerns with Extreme Temperature Provisions in S.230

March 25, 2026

Dear Chair Mihaly and Members of the House General and Housing Committee,

On behalf of the undersigned organizations representing employers across Vermont's economy, we write to express concerns with the extreme temperature workplace provisions under consideration in S.230.

Employers share the goal of maintaining safe working conditions and already take significant steps to protect employees in a wide range of environments. The approach outlined in this bill, however, would establish a highly prescriptive regulatory framework that does not account for how work is actually performed across Vermont's diverse and often mobile industries.

Scope and Temperature Thresholds

The bill establishes temperature thresholds that would trigger regulatory requirements at levels commonly experienced in Vermont, including conditions above 80 degrees and below 35 degrees.

Because these conditions occur frequently throughout the year, the bill would apply broadly to routine operations rather than targeting truly extreme or hazardous situations. As a result, employers would be required to implement ongoing compliance measures during normal working conditions for extended periods of time.

A Diverse Set of Industries, Not a Uniform Work Environment

These provisions would apply across a wide range of industries that operate under very different conditions, including construction, agriculture, forestry, utilities, telecommunications, food service, tourism, hospitality, transportation, municipal services, and seasonal and service-based businesses.

While these sectors all contribute to Vermont's economy, they do not share a common work environment. Work may occur outdoors, indoors, in transit, or across multiple locations in a single day. Equipment, exposure, and job functions vary widely.

Applying a single set of requirements across this range of operations does not account for these differences and creates challenges in how the standards would be implemented in practice.

Monitoring and Worksite Requirements

The bill requires employers to monitor temperature conditions at all worksites and in work vehicles and to maintain written prevention plans with site-specific details.

For businesses with fixed indoor locations, this would be costly and complex and for many others where worksites shift throughout the day, this would be unworkable. Crews move between job sites, workers travel between service locations, and tasks change based on conditions.

In these settings, the requirement to continuously monitor temperature and maintain site-specific plans would require constant updates, duplicative documentation, and additional staffing or administrative capacity to track compliance in real time.

Vehicle and Equipment Requirements

The proposal treats vehicles as regulated workplaces and requires temperature monitoring, along with heating and, in some cases, air conditioning to meet prescribed thresholds.

This presents practical challenges for many types of equipment that are not designed to function as climate-controlled environments. Agricultural machinery, forestry equipment, utility vehicles, and other field-based tools are built for outdoor use and often operate in conditions where enclosing or climate-controlling the equipment is not feasible.

In some cases, compliance would require significant retrofitting or replacement of equipment. In others, it may not be possible at all without affecting the functionality or safety of the equipment.

These requirements would also apply to public sector fleets, meaning the cost of compliance would extend to state and municipal taxpayers in addition to private employers.

Operational and Compliance Implications

The bill includes requirements related to written plans, training, monitoring, rest breaks, and response protocols tied to temperature thresholds.

Implementing these provisions would require employers to adjust scheduling, staffing, and workflow in ways that may not align with the demands of the job. In industries where work is time-sensitive, weather-dependent, or location-specific, these constraints could lead to delays, reduced productivity, or the inability to complete certain work.

The cumulative effect is not a single requirement, but a layered set of obligations that increase administrative burden, operational complexity, and cost.

Conclusion

Employers in Vermont already operate within established workplace safety frameworks under the Vermont Occupational Safety and Health Administration (VOSHA) and the federal Occupational Safety and Health Administration (OSHA), which provide substantial protections and standards designed to address workplace conditions, including exposure to environmental hazards.

Rather than layering on a new and highly prescriptive set of requirements, it is critical that the Committee take the time to fully understand what these existing laws are and how these standards apply in practice.

A clear understanding of current requirements should be the starting point for any further policy discussion.

Sincerely,

Associated General Contractors of Vermont
Heating and Cooling Contractors of Vermont
Lake Champlain Regional Chamber of Commerce
Propane Gas Association of New England
Ski Vermont
Telephone Association of Vermont
Vermont Builders and Remodelers Association
Vermont Chamber of Commerce
Vermont Dairy Producers Alliance
Vermont Farm Bureau
Vermont Forrest Products Association
Vermont Fuel Dealers Association
Vermont Golf Association
Vermont Golf Course Superintendents Association
Vermont Ground Water Association
Vermont Independent Restaurants
Vermont Retails and Grocers Association
Vermont Retail Lumber Dealers Association
Vermont Truck and Bus Association
Vermont Vehicle and Automotive Distributors