

Outdoor Worker Safety & the NYS Sun Safety Law

New York State agency public employers must ensure that all state employees who spend more than five hours outdoors each work week as a part of their job function receive sun safety protection information. This fact sheet also includes information about climate hazards that is useful to employees, though not required by this law.

What is the New York State Public Employee Sun Safety Law?

The New York State Public Employee Sun Safety Law, enacted on August 18, 2006, is an amendment to Section 218-a of the New York State Labor Law. It requires New York State agencies to provide sun safety information to their employees who spend more than a total of five hours per week outdoors.

As enacted the law states:

“§218-a. Sun safety education for state employees. 1. Any state employee who spends more than a total of five hours per week outdoors shall be provided information about (a) the potential dangers of diseases caused by over-exposure of the sun, such as skin cancer, (b) the existence of available protections and their proper uses, and (c) any other information necessary to afford an employee his or her best opportunity to protect themselves from the sun. 2. An employer of any employee subject to subdivision one of this section shall ensure that any necessary information is given to each employee for his or her use during their employment, at no cost to the employee. 3. The commissioner, in consultation with the commissioner of education, shall determine the form and content of the information supplied to the state employees who are subject to the provisions of this section.”

What is your risk from exposure to Ultraviolet Radiation (UV) from the Sun?

Employees who work in the sun risk skin exposures that cause blemishes, sun freckles and wrinkles. With continued exposure, sun-damaged skin can turn cancerous.

Three skin cancers are linked to sun everexposure. Basal cell cancer (the most common) and squamous cell cancer are usually treatable and totally cured, if caught in time. Malignant melanoma is rarer, but more likely to be fatal if treatment is delayed. Most of the 10,000 Americans who die from skin cancer each year are victims of malignant melanoma.

Skin cancer risk increases in proportion to unprotected time in the sun and the intensity of the sun's rays during exposure. Intensity is greater in the summer, from 10 am to 2 pm, at higher altitudes. Work surfaces, such as metal roofing, concrete, etc, can also reflect up to 50 percent of the sun's radiation, which intensifies exposure.

How can you reduce your risk from UV exposure?

The easiest way is to reduce your direct exposure to the sun. Wear protective clothing, such as a wide-brimmed hat, long pants and a long-sleeved shirt. Protective sunscreens help. Use a sunscreen with an SPF (skin protection factor) of at least 15, which is water-resistant to withstand humidity and sweat. Avoid baby oil, cocoa butter or skin oils that do not protect against sunburn.

In addition, examine your skin regularly. Check for danger signs, including any wound, sore or patch of skin that won't heal or constantly scales or any



growing lump, particularly if it is brown or bluish in color. Also check for moles that grow, or change shape or color. If anything looks suspicious get a medical opinion - sooner rather than later. Also advise your employer of any sun-related condition or medical diagnosis.

What is the risk of working in cold conditions?

Cold stress or hypothermia can affect employees who are not sufficiently protected against low temperatures. The cold may result naturally from weather conditions or be created artificially, as in refrigerated environments.

Cold is a physical hazard in many outdoor workplaces. When the body is unable to warm itself, serious cold-related illnesses and injuries may occur that could lead to permanent tissue damage or worse.

Workplaces that are prone to cold, wet and/or windy conditions include:

- roofs
- open or unheated cabs
- bridges or other projects near large bodies of water
- large steel structures that retain cold or are exposed to cold
- high buildings open to the wind
- refrigerated rooms, vessels, and containers

Your body tries to maintain an internal (core) temperature of approximately 98.6°F (37°C) by reducing heat loss and increasing heat production. Under cold conditions, blood vessels in skin, arms and legs constrict, decreasing blood flow to extremities. This minimizes cooling of the blood and keeps critical internal organs warm. At very low temperatures, however, reducing blood flow to the extremities can result in lower skin temperature and higher risk of frostbite.

What other risk factors are associated with cold injury?

Various medical conditions such as heart disease, asthma/bronchitis, diabetes and vibration/white finger disease can increase the risk of cold injury. Check with your health practitioner to learn whether medications you take could also have adverse effects in a cold environment.

How do you protect against cold-related risks?

Be aware and be prepared. Workers should recognize the signs and symptoms of overexposure to cold in both themselves and co-workers. Pain in the extremities may be the first warning sign. Any worker shivering severely should come in out of the cold.

General Employee Protective Measures in cold weather:

- Inform workers about wind-chill factors, especially those working on bridges or out in the open on high buildings.
- Ensure that workers are medically fit to work in excessive cold, especially those subject to the risk factors highlighted above.
- Stress the importance of high-caloric foods when working in cold environments. Warm sweet drinks and soups will maintain caloric intake and fluid volume. Coffee should be discouraged in cold conditions because it increases water loss and blood flow to extremities.
- Personnel working in isolated cold environments, whether indoors or outdoors, should have backup or monitors. Also, employees at risk should use shelters or other protected areas at regular intervals.
- Warm drinks and regular breaks are beneficial under extremely cold working conditions.



Select protective clothing to suit the cold, the job, and the level of physical activity.

- Wear several layers of clothing rather than one thick layer. Air captured between layers acts as an insulator.
- Wear synthetic fabrics such as polypropylene next to the skin because these wick away sweat. Clothing should not restrict flexibility.
- If conditions are wet, as well as cold, ensure that the outer clothing layer is waterproof or at least water-repellent. Some conditions require wind-resistant fabrics.
- At air temperatures of 2°C (35.6°F) or less, workers whose clothing gets wet for any reason will need an immediate change of clothing and may need treatment for hypothermia.
- Encourage the use of hats and hoods to prevent heat loss from the head and to protect ears. Balaclavas or other face covers may also be necessary under certain conditions.
- Tight-fitting footwear restricts blood flow. Footwear should be large enough to allow wearing either one thick or two thin pairs of socks. Wearing too many socks can tighten fit and harm rather than help.
- Workers who get hot while working should open their jackets but keep hats and gloves on.

Contact the nearest PESH Office if you require assistance in performing a risk assessment to comply with this law.

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| Albany | (518) 457-5508 |
| Binghamton | (607) 721-8211 |
| Buffalo | (716) 847-7133 |
| Garden City | (516) 228-3970 |
| New York City | (212) 621-0773 |
| Rochester | (585) 258-4570 |
| Syracuse | (315) 479-3212 |
| Utica | (315) 793-2258 |
| White Plains | (914) 997-9514 |

How can public employers protect state employees from climate hazards?

Climate hazards from heat, cold and UV light from the sun can pose a serious threat to health. Once you recognize the hazards, take simple steps to minimize or avoid them. We will help employers assess workplace risks to see if climate hazards exist and put workers at unreasonable risk. Employers should take precautions and offer workers protective measures to ensure their safety.