

OUR RIGHTS AT WORK

COOL IT!

**HAZARDOUS HEAT, FAST FOOD &
THE PATH TO A SAFER WORKPLACE**



**Worksafe
California Fast Food Workers Union, SEIU**

August 2025



ABOUT THE AUTHORS



Worksafe

Worksafe is a California-based organization dedicated to promoting and protecting the basic right of all people to a safe and healthy workplace.

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California Fast Food Workers Union, SEIU

California Fast Food Workers Union, SEIU unites fast food workers across brands and locations, and it is the first of its kind in the country.

This historic union builds on the 10 years of workers organizing in the state, which began with the Fight for \$15 and a Union. Our Union is fighting to achieve racial and economic justice and transform fast food jobs in the Golden State by fighting for fair pay, safe and healthy workplaces and a voice for all workers in the fast food industry. Through our fight for a voice on the job, we're showing low wage workers everywhere that when we organize, strike, and build a movement, we all can win a seat at the table and improve lives and our communities.

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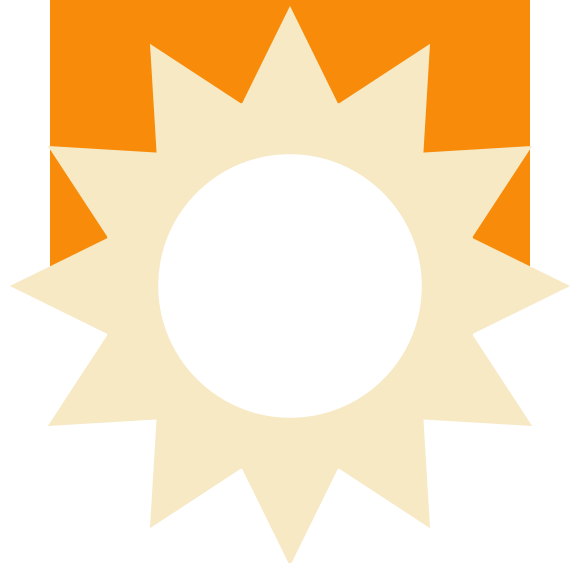
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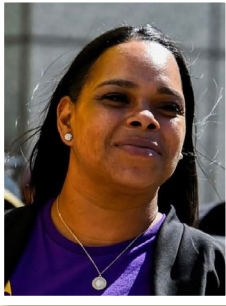
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LETTER FROM ANNEISHA WILLIAMS, CALIFORNIA FAST FOOD COUNCIL MEMBER

The AC in the fast food kitchen where I work hardly blows air and breaks frequently. As recently as July 15, 2025, the temperature in the kitchen was in the 90s and I saw one of the cooks get dizzy from the heat – she had to lean against the wall to stay up. I was worried about her, so I used the cool water from the soda fountain to wet a towel to put on her head under her hat, to try to cool her down. If you faint in the kitchen, you could hit the grill or the fryer, or the very hard floor.

As a member of the state Fast Food Council, I know that the Indoor Heat Illness Prevention standard went into effect last year requiring employers, including in fast food, to train all workers on how to prevent heat illness, and what to do if we experience symptoms. If temperatures rise, management is supposed to encourage us to stay hydrated and provide water breaks and cooling breaks. Management where I work is not doing any of these things.

Results of a new survey of over 300 fast food workers across California, published here, show that my coworkers and I are not alone. Of fast food workers surveyed, nearly 3 out of 5 experienced excessive heat at work during the past year, and nearly half experienced heat illness symptoms at work such as headaches, dizziness, muscle cramps and fainting. Further, only 9 percent of workers surveyed who experienced excessive heat at work reported that their employers complied with the most basic requirements to prevent heat illness. Though some employers do encourage workers to drink water and provide it, very few provide the time or a cool place to drink it.

Heat illness in fast food is preventable. California fast food workers fought for the Indoor Heat Illness Prevention standard, and now we are fighting to make its protections real. With fast food employers widely out of compliance, we call on policymakers to support pilot programs in Los Angeles and Santa Clara County to provide us with Know Your Rights trainings by independent organizations we can trust. We need full-day, interactive, paid trainings to provide information on what to do when it gets too hot and we feel sick or face other hazards and violations, and how to get help when management ignores us or retaliates against us.

Action at state and local levels is urgently needed to support California's more than 630,000 fast food workers to access independent Know Your Rights trainings, and to increase workplace health and safety enforcement. With federal workplace health and safety regulations under attack, and fear gripping much of California's fast food workforce, many of whom are immigrants or have foreign-born family members, independent Know Your Rights training is vital to ensure all fast food workers know our rights and how to uphold them.

In unity,

A handwritten signature in black ink, appearing to read 'Anneisha Williams', written in a cursive style.



FOREWORD

July 23, 2025 was the one-year anniversary of the implementation of the California Indoor Heat Illness Prevention Standard. While this potentially lifesaving regulation was an important and significant victory, it is clear that exposure to extreme heat, both outdoors and indoors, is still putting workers

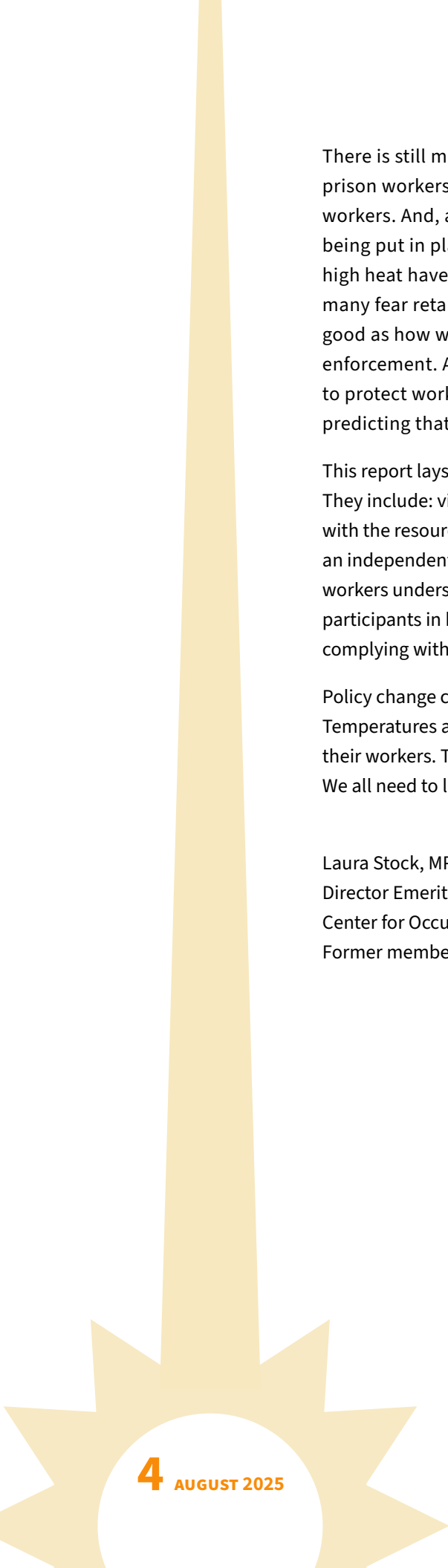
at grave risk of life-threatening heat illness.

This report from WorkSafe and the California Fast Food Workers Union presents results from a July 2025 survey of fast food workers which captured their experiences since the passage of the California regulation. It documents that in many fast food workplaces mandated protections are not still in place. More than half of workers surveyed continue to be exposed to hazardous high temperatures and nearly half report symptoms of heat illness. And, alarmingly, nearly half reported that management had implemented none of the basic safety measures required by the standard.

In this report, fast food workers from across the state also share about the toll that excessive indoor heat continues to take, and their struggles to access the information and training they need to be safe at work. Myno, who worked at Ono Hawaiian BBQ in the City of Los Angeles, describes waking up in the back of an ambulance after passing out from excessive heat in the kitchen and going right back to work, afraid he would get fired for being “too weak” to handle the job. Myno adds that even after that incident, management didn’t fix the heat problem or train workers on what to do if they have symptoms. Auxiliadora, who has a high-risk pregnancy, says she steadies herself against the wall when she gets dizzy from the heat, and that trainings at the El Pollo Loco where she works are just a piece of paper that they have to sign, without any explanation or opportunity to ask questions.

Fast food workers like Myno and Auxiliadora were on the front lines of the campaign that resulted in the passage of the California Indoor Heat Illness Prevention standard. As a member of the California Safety and Health Standards Board (the standards setting agency within Cal/OSHA) for 12 years, I had the opportunity to witness the power and bravery of workers who risked retaliation to share their personal experiences. Their testimony moved Board members to understand that protecting workers is a moral issue, and that taking action to support workers is simply the right and only thing to do.

Nowhere was this clearer than during hearings on the indoor heat standard. Workers described their experiences working in extreme heat, in vivid and painful detail – working “in constant motion,” being “soaked in sweat all day,” and often feeling nauseous and dizzy. Because of this powerful testimony, the regulation passed unanimously in June 2024.



There is still much work to be done. The California indoor heat regulation exempts prison workers who have the same exposure to dangerously high heat as other indoor workers. And, as this report documents, in many workplaces protections are not being put in place: workers have not received required training; workers exposed to high heat have not been allowed or encouraged to take cooling/water breaks; and, many fear retaliation for raising concerns. We know that any regulation is only as good as how well it is enforced, and there is an ongoing need to strengthen Cal/OSHA enforcement. At the federal level, indoor heat regulations are still urgently needed to protect workers nationwide. 2024 was the warmest year on record, with scientists predicting that periods of extreme heat will become more intense and more frequent.¹

This report lays out critical recommendations for protecting workers from heat illness. They include: vigorous enforcement of the existing heat regulations; providing Cal/OSHA with the resources to address staffing shortages that limit enforcement; implementing an independent and interactive Know Your Rights training program in languages that workers understand, so that workers have the skills and information needed to be active participants in heat illness prevention and know how to report employers who are not complying with the law; and, enforcing strong anti-retaliation measures.

Policy change can take time, but for fast food workers in California, we have none to waste. Temperatures are rising and employers must comply with the law to protect the lives of their workers. The voices and stories of workers in this report present powerful testimony. We all need to listen and take action to support them.

Laura Stock, MPH
Director Emeritus, Labor Occupational Health Program
Center for Occupational & Environmental Health, UC Berkeley
Former member of Cal/OSHA Standards Board, 2012-24

EXECUTIVE SUMMARY

“On June 27, 2025, I opened the door to start my 4 AM shift, and it felt like there was a fire burning inside the store. A thermometer showed 93 degrees in the kitchen at 4:30 AM, 100 degrees at 7:30 AM, and it felt much hotter when my shift ended around noon,” describes Angelica Hernandez, a cook at McDonald’s in Monterey Park. “I thought I was going to faint, and my coworkers and I were suffering headaches, dizziness, nausea and drenching sweat from the heat,” adds Angelica.

For fast food workers like Angelica, the one-year anniversary of California’s Indoor Heat Illness Prevention standard is cause for both celebration and frustration. Under the standard, employers must protect workers from heat illness, a potentially life-threatening workplace hazard, and comply with specific requirements regarding worker training and management response. Yet the promise of these protections remains unfulfilled for many workers, including in fast food.

A new survey on excessive heat in fast food shows that the experiences of Angelica and her coworkers are hardly unique. The survey was taken in July 2025 by 338 workers from over 200 fast food locations across California. Results indicate the fast food industry is widely out of compliance with the Indoor Heat Illness Prevention standard, with 58 percent of fast food workers surveyed reporting working in excessive heat in the past year, and 48 percent reporting experiencing symptoms of heat illness.

Fast food workers are calling for workers’ rights trainings administered by qualified, independent organizations to ensure workers understand their rights, and how to uphold them. In this high-violation, low-wage industry, such independent trainings are vital to ensure California’s 630,000 fast food workers, the second-largest group of low-wage workers in the state, know what to do if they face unsafe working conditions and other abuses. Federal workplace protections are under attack, and the chilling effects of increased immigration enforcement and fear of employer retaliation deter workers from speaking up about hazards and abuses at work. Independent Know Your Rights trainings will provide California’s fast food workers – largely women and people of color, with over a quarter immigrants² – access to the rights already enacted to protect them.



ONE YEAR AFTER CALIFORNIA’S NEW INDOOR HEAT RULES TOOK EFFECT, ANGELICA & COWORKERS AT MCDONALD’S CONTINUE TO SUFFER EXCESSIVE HEAT AT WORK

“When the AC broke again on June 27, 2025, I picked up a pancake plate and tried to use it as a fan, but the air was so hot it made me hotter. The kitchen was over 100 degrees, the lobby was also terribly hot, and the restroom was worse than the kitchen,” describes Angelica Hernandez, a cook at McDonald’s for over 20 years. “The

manager told us the AC was broken. This is a 24 hour store with 5 grills and 9 fryers. Without functioning AC, the store becomes dangerously hot very quickly.”

“For years, my coworkers and I have reported to management that the AC breaks frequently, making us sick from the heat, and we reported excessive heat incidents to Cal/OSHA in 2021 and 2023. But now, a full year after the new Cal/OSHA Indoor Heat Illness Prevention standard was put in place – clearly setting out how employers are required to protect workers like us from indoor heat illness – many employers, including ours, are still failing to provide the training and protections the law requires, and many workers still don’t know what to do when facing unsafe heat and other hazards at work,” adds Angelica.

Excessive heat exposure can cause immediate symptoms that, if left unaddressed, can progress rapidly from dehydration to heat exhaustion, heat stroke and even death. Beyond these obvious risks, high heat can cause additional serious health impacts. Hotter temperatures significantly increase the likelihood of injury on the job, including from accidents that are not directly related to heat, likely due to heat’s impact on cognition and concentration.³ Based on analysis of workers compensation claims, researchers estimate hotter temperatures caused approximately 360,000 additional injuries in California over the period 2001-2018, or roughly 20,000 per year. Exposure to excessive heat can also lead to flare-ups in chronic conditions such as migraine, arthritis, asthma, kidney disease, hypertension, type 2 diabetes, and cardiovascular disease, as well as worsen mental health, and increase the chance of getting an infection or of having a heart attack.⁴

Compliance and enforcement gaps make independent Know Your Rights training vital to protect worker health and safety

While California’s workplace heat standards establish comprehensive protections for workers, Cal/OSHA faces substantial staffing vacancies and process deficiencies, limiting its ability to ensure employer compliance with heat safety and other standards.⁵ A new state audit published July 17, 2025 found Cal/OSHA had a 32 percent vacancy rate in fiscal 2023-24, with higher rates in certain district offices and inspector positions.⁶ Among the key findings of the audit, which reviewed a sample of complaint and accident files: some complaint and accident inspections took weeks or even months to initiate, and cases were closed without documentation of sufficient reasons for closing them.

The audit report highlights a case in which Cal/OSHA failed to perform an in-person inspection for a second high heat complaint at the same employer, where restaurant kitchen temperatures were allegedly in the 90s due to broken AC, and a worker was taken to the ER by ambulance for medical treatment.⁷ The case audit found that Cal/OSHA had twice sent a letter to the employer instead of inspecting on-site, and that according to case records, the employer did not provide evidence, such as repair invoices, to show that they corrected the hazard.

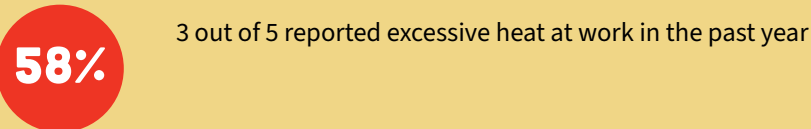
California must invest in strengthening Cal/OSHA's outreach, inspection and enforcement capacity, including anti-retaliation enforcement. In addition, policymakers should support proposed pilot Know Your Rights training programs for fast food workers in the City of Los Angeles and Santa Clara County. Compliance and enforcement gaps make comprehensive, independently-administered Know Your Rights training for fast food workers both urgent and essential.

Such Know Your Rights training empowers workers to advocate for their own safety, equipping them with the potentially life-saving knowledge and know-how to uphold their rights when facing excessive heat and other violations at work. The combination of enhanced enforcement and an empowered, informed workforce can improve compliance across the fast food industry and bolster accountability for employers who violate the law.

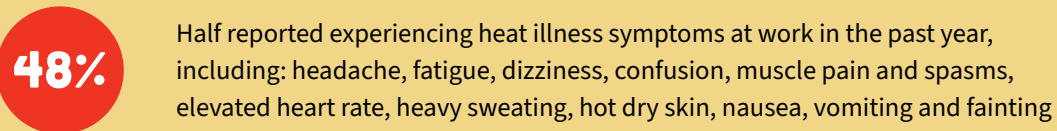
KEY SURVEY FINDINGS

Among California fast food workers surveyed about heat at work during the one-year period since the California Indoor Heat Illness Prevention Standard took effect on July 23, 2024:

STILL TOO HOT

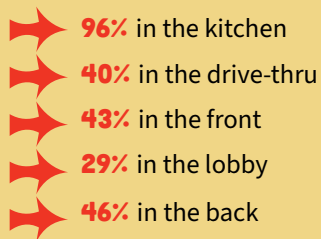


HEADACHES, DIZZINESS, VOMITING AT WORK

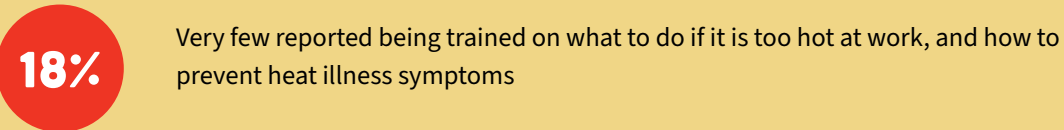


ALL FAST FOOD WORKERS POTENTIALLY AT RISK

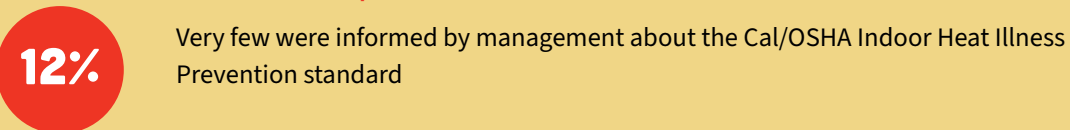
Fast food workers reporting excessive heat said it was too hot:



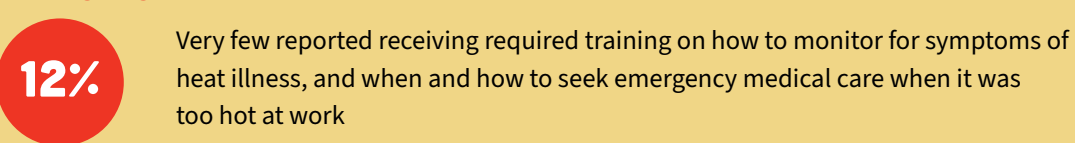
NOT TRAINED WHAT TO DO ABOUT HIGH HEAT



NOT INFORMED ABOUT Cal/OSHA INDOOR HEAT ILLNESS PREVENTION STANDARD



NOT TRAINED TO MONITOR FOR SYMPTOMS OR HOW TO SEEK EMERGENCY MEDICAL CARE



Source: California Fast Food Worker Survey, July 2025.

WORKERS REPORTING IT WAS TOO HOT AT WORK SAID:

BROKEN AIR CONDITIONING



4 out of 5 reported problems with the AC

- * **55%** More than half who reported problems with the AC said management did not fix the AC in a timely manner
- * **50%** Half who reported problems with the AC said that management said it was “too expensive” to permanently fix the AC

HOT INSIDE ON HOT DAYS



3 out of 4 said it gets too hot inside the store on hot days or during heat waves

LACK OF URGENT MEDICAL CARE



Very few workers who reported needing urgent care for heat illness said management provided it.

LACK OF WATER AND COOL-DOWN BREAKS



Very few workers said management implemented all of 4 basic Cal/OSHA requirements to prevent heat illness during high heat: encouraging workers to drink water; providing free, clean, cool drinking water; providing a cool-down area; and encouraging workers to take cool-down breaks



Nearly half said management did not implement any of these requirements



I told the manager my coworker was vomiting from the heat and needed to go home, but the manager said there was no one to cover her, so she had to go right back to work. I was sweating through my clothes and felt intense exhaustion.

The lobby was much cooler than the kitchen, but we didn't know management was supposed to allow us to take cool-down breaks to prevent symptoms. We weren't even allowed to take our 10-minute rest breaks that day because there was no one to cover for us.

Many factors contributed to the excessive heat in the kitchen that day. The AC isn't strong enough to cool the kitchen on hot days, and it was unusually hot for March (2025). We were short-staffed, missing a cook, so we had to move very fast to keep up with the orders. It was a weekend and there was a promotion, so it was extra busy, there were lines in the drive-thru and the lobby plus orders from Doordash and UberEats. A busy store means more heat and steam. These factors can happen any time.

I learned from the California Fast Food Workers Union that there is a new law to protect us from heat illness. Management never trained us about the law, or what to do when it is too hot. Fast food workers like us need training on what to do if it gets too hot, or if management ignores us when we are vomiting or having other heat illness symptoms.

-Maria, Taco Bell worker, Los Angeles



KEY RECOMMENDATIONS

Fast food workplaces should be brought into compliance with the Indoor Heat Illness Prevention standard, with increased enforcement of the standard and improved mechanisms to protect workers from retaliation for exercising their right to be safe at work.

In addition, independently-administered high-quality Know Your Rights training is urgently needed to give fast food workers the knowledge and know-how to address the hazard of excessive indoor heat. These trainings will also prepare workers to handle other hazards and abuses that are widespread in the fast food industry, such as wage theft, harassment, discrimination and retaliation.⁸

Recommendations:

1

Fast food employers must comply with the Indoor Heat Illness Prevention standard, including maintaining safe indoor air temperatures, providing required preventive measures such as cool-down breaks and safe, cool, drinkable water at no cost to employees, and providing appropriate emergency response.

2

Enforcement of the Indoor Heat Illness Prevention standard should be strengthened, including through adequate staffing of Cal/OSHA.

3

Mechanisms to protect workers from retaliation for exercising their rights, including the rights to report health and safety hazards such as excessive heat and to refuse work that is unsafe, should be strengthened at the state and local levels, so that workers are not forced to make impossible choices between their health and safety, and their livelihood.

4

Fast food workers need Know Your Rights training, presented by qualified, independent organizations experienced in providing training to low-income workers, including foreign-born workers. These programs must be presented in-person, in an environment of trust, where workers feel safe asking questions.⁹ Workers need to be paid for one day each year to attend these trainings.

5

Independent, high-quality Know Your Rights training must include key information regarding rights, protections, programs and benefits for all fast food workers, regardless of immigration status.

6

Policymakers should support efforts to pilot independent Know Your Rights training for fast food workers in the City of Los Angeles and Santa Clara County.

ABOUT THE CALIFORNIA FAST FOOD WORKERS SURVEY

The California Fast Food Worker Survey (July 2025) asked about workers' experience of excessive heat at their fast food jobs during the one-year period following the enactment of the Cal/OSHA Indoor Heat Illness Prevention standard, which went into effect on July 23, 2024. The survey was conducted by bilingual outreach

ABOUT HEAT ILLNESS

Heat illness is a serious medical condition caused by exposure to excessive heat and resulting from the body's inability to cope with a particular heat load.¹⁰ Types of heat illness include heat cramps, heat exhaustion, heat syncope (fainting), and heat stroke, which can lead to death. The longer a person experiencing heat illness symptoms goes without assistance, the more likely they are to become seriously ill.

Symptoms of heat illness include:

- * Headache
- * Fatigue
- * Dizziness
- * Confusion
- * Muscle pain and spasms
- * Elevated heart rate
- * Heavy sweating
- * Hot/dry skin
- * Nausea/vomiting
- * Fainting/unconsciousness

workers in July 2025, one year after the new indoor heat rules took effect. A total of 338 workers from over 200 fast food locations in 67 cities across California participated in the survey. Respondents work at restaurants in 34 different major fast food brands including McDonald's, Jack In The Box, Burger King, Carl's Jr., Subway, KFC and Taco Bell. Workers were asked a series of in-depth questions about the extent of the problem of excessive heat at work, and about management compliance with the new indoor heat standard, including requirements regarding employer response to excessive heat incidents, and training to prevent and respond to heat illness.¹¹

ABOUT CALIFORNIA FAST FOOD WORKERS

Over 630,000 workers are employed in California's fast food industry as of 2025.¹² Approximately 80 percent of these workers are people of color, 60 percent are Latino/a, and over a quarter are immigrants.¹³ Two out of three are women.¹⁴ California fast food workers comprise the second largest low-wage industry workforce in the state.¹⁵

California fast food workers experience frequent violations of their workplace rights and often face dangerous, unsanitary, and hostile working conditions. In just the past five years, with the support of the California Fast Food Workers Union, workers have filed more than 500 complaints with state and local agencies documenting health and safety hazards, wage theft, civil rights and child labor violations in California's fast food workplaces.¹⁶ Numerous studies confirm that these hazards and abuses are pervasive.¹⁷ Furthermore, workers who exercise their rights or complain about

workplace problems often face firings, cuts to hours, and other disciplinary actions – despite legal prohibitions on retaliation.¹⁸

After more than a decade of organizing to address these issues, including strikes by workers at over 450 fast food locations across California, fast food workers won a landmark victory with the passage of AB 1228 in 2023.¹⁹ This historic law established the California Fast Food Council, which provides workers a seat at the table with employers and government to improve working conditions and standards in the industry, and set a new minimum wage of \$20 per hour in California’s fast food industry, which went into effect April 1, 2024.²⁰

The serious, widespread and preventable hazard of extreme heat in California’s fast food workplaces is among the foremost health and safety problems around which fast food workers have organized to win improvements in their industry.²¹ California fast food workers fought alongside workers in other high risk industries for the Cal/OSHA Indoor Heat Illness Prevention Standard, which went into effect July 23, 2024 after years of delays.²²

A year after the standard went into effect, fast food workers report that widespread problems with excessive heat at work are ongoing, and that their employers are largely out of compliance with the new rules.²³ Fast food workers are now pressing for urgent action at the state and local levels to support policies that will make these needed protections a reality, including policies to ensure workers have access to independent Know Your Rights trainings that provide them with the necessary information and support to properly address excessive heat and other hazards and abuses at work, and to protect workers from retaliation for reporting these problems.

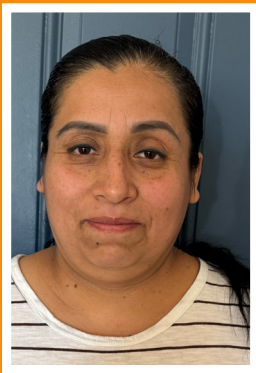


RISK FACTORS FOR HEAT ILLNESS

Many fast food workers have one or more conditions or risk factors associated with increased vulnerability to excessive heat. These factors include:

- * **Medical conditions** - Heart disease, high blood pressure, diabetes, obesity and other health conditions can increase vulnerability to excessive heat, as can taking certain medications.²⁴ Many of these health conditions are overrepresented among people living in poverty, and among Hispanic, Black and immigrant populations, which make up a majority of the fast food workforce.²⁵
- * **Age** - With age, the body is typically less efficient at cooling, increasing vulnerability to excessive heat exposure.²⁶

- * **Pregnancy** - Pregnant workers are more likely to suffer heat illness symptoms, and are more likely to become dehydrated, which also increases vulnerability to heat illness.²⁷ The fast food workforce is predominantly female, and many fast food workers are of child-bearing age.
- * **Arriving at work overheated** - Workers who experience hot commutes walking or biking in the sun, or taking crowded transit, and/or are unable to cool off at home due to lack of affordable, functioning AC, may arrive at work already overheated and more vulnerable to excessive heat exposure at work.
- * **Heat islands** - Many fast food workers face comparatively hotter temperatures at home and in their communities due to the increased temperature effects of urban activity and the built environment, which are felt disproportionately in low-income, immigrant and minority communities.²⁸ The factors that drive temperatures higher in urban areas include the density of people and activities; and the distribution of surfaces that absorb heat, such as roads and cement, versus those that protect from heat, such as trees and green areas.
- * **Homelessness and housing insecurity** - People who lack stable housing are particularly vulnerable to excessive heat due to their lack of access to shelter, cooling systems, and hydration, and many face compounded health risks due to existing chronic conditions or other vulnerabilities associated with homelessness and housing insecurity.²⁹ Fast food workers are overrepresented among California's homeless and housing insecure populations. A 2023 study found that 11 percent of the state's homeless workers were employed in fast food.³⁰



The AC broke, it was over 100 degrees inside the store, and I was so hot I had to put ice water on my body while I worked. Management didn't let us take breaks to drink water or cool down. I have diabetes, so the excessive heat affects me a lot.

-Gilberta, Taco Bell, San Jose

ABOUT THE CALIFORNIA FAST FOOD INDUSTRY

California is home to approximately 47,000 fast food locations – about one out of every six of the industry’s 300,000 establishments nationwide.³¹ California’s fast food industry has grown significantly over the past decade, in terms of both employment and number of establishments.³² Over the same period, many of the fast food industry’s largest corporations have increased prices at rates that outpace inflation.³³ Fast food prices have increased nationwide by 47 percent between 2014 and 2023, compared to 29 percent for all consumer items.³⁴ A 2024 study by the Roosevelt Institute found that the ten largest publicly traded fast food companies had nearly \$21 billion in total operating profits in 2023.³⁵

Under the fast food industry’s franchise business model global corporations set restaurant operating requirements, but individual franchisees are responsible for covering the costs to meet them. This system creates financial disincentives for fast food franchisees to comply with workplace laws, and rewards operators who cut corners on health and safety



The AC was broken for over a month, the heat inside the store - in the 90s and 100s - was making us sick, and we didn’t know what to do.

A friend from another fast food store told us to talk with the California Fast Food Workers Union, and that is how we learned about our rights.

We filed a Cal/OSHA complaint about the broken AC and heat illness, and went on strike about it – then our employer finally brought in some fans and temporary AC, and fixed the broken AC.

All fast food workers need to know about our rights and what to do if management is cutting corners on safety and making us sick.

-Silvia, Taco Bell worker, San Jose

protections or use wage theft and retaliation against workers as tools to control costs.³⁶ The ongoing failure of fast food employers across California to prevent and address the hazard of excessive heat exemplifies this industry-wide culture of noncompliance and the dangers it poses for workers.³⁷

In addition to strengthening enforcement mechanisms at the state and local levels to increase accountability across the board for employers who violate the law, industry-specific policy solutions are needed to ensure that fast food workers know about their workplace rights, know what to do when they experience hazards like excessive heat and other abuses on the job, and are empowered to take action to protect themselves and their coworkers without fear of retaliation.



I've worked in fast food for 11 years. To this day, I remember when I was 17, at my first job, the AC was not working and I was training someone new to work on the grill. When I turned around to look at them, they had passed out on the floor. I didn't know what to do.

-Erika, former fast food worker, Los Angeles

HEAT ILLNESS RISK FACTORS IN THE FAST FOOD INDUSTRY

Excessive indoor heat is a known health and safety hazard in fast food workplaces. Risk factors for excessive heat illness in fast food include equipment and design issues and management practices, such as:

- ✱ **High radiant heat sources** - Grills, fryers and ovens are among the appliances in fast food that can cause high-heat areas.
- ✱ **Air conditioning that is inadequate, broken or turned off** - Older AC units are often weak and vulnerable to breaking, especially during heat waves. Employers may not want to pay for AC repair or replacement, or may limit use to save money.
- ✱ **Dehydration** - Dehydration is a risk factor for heat illness. In fast food, multiple factors may contribute to dehydration, including: lack of access to free, fresh, cool, drinking water; lack of required breaks to drink water and use the restroom; and lack of awareness and training.
- ✱ **Poor ventilation** - Drive-thrus and other work areas may be poorly ventilated. Natural ventilation may not be an option when outdoor temperatures are high, or when windows and doors are kept closed for safety from violence.
- ✱ **Crowded work areas, fast-moving staff** - Work areas are typically small by design, which can intensify heat due to crowding. High levels of exertion, especially during rush times and when staffing levels are low, may also cause body temperatures to increase.
- ✱ **Lack of preventive cool-down breaks** - Fast food workers may not know about preventive cool-down breaks or be allowed to take them, and management often fails to provide a cool area in which to take breaks – as required under the law.
- ✱ **Lack of training on heat illness symptoms, monitoring and response** - Fast food workers often lack knowledge of how to monitor themselves and their coworkers for heat illness symptoms, and lack procedures for reporting symptoms and seeking urgent medical attention.
- ✱ **Lack of acclimatization** - New workers may be assigned to work in high heat areas, such as around grills, fryers and ovens, without the required acclimatization period and monitoring.

FAST FOOD WORKER HEAT SURVEY RESULTS

EXCESSIVE HEAT STILL WIDESPREAD IN FAST FOOD

Excessive heat is a known hazard in fast food workplaces. Fast food workers across California have filed Cal/OSHA complaints documenting temperatures in the 90s and 100s at work, and organized strikes and protests over this hazard.³⁸ In the 2023 California Fast Food Workplace Hazards Worker Survey, published in the report, “¡Aguantate! Heat, hazards and indifference to safety in California’s fast food restaurants,” most fast food workers surveyed reported enduring excessive heat on the job.³⁹

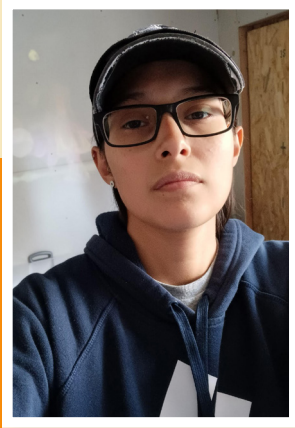
A full year after the Indoor Heat Illness Prevention standard went into effect on July 23, 2024, fast food workers across California continue to report excessive heat exposure at work.

58%

Nearly 3 out of 5 fast food workers surveyed reported excessive heat at work in the past year, since July 2024



Source: California Fast Food Worker Survey, July 2025.



I didn't see my coworker faint, but I saw her after she hit the ground. I saw the ambulance come and I saw the first responders lifting her up, still unconscious, and taking her to the hospital.

She fainted from excessive heat, because the AC was broken. This happened in early September 2024. She had been working in the lobby, doing maintenance.

I felt angry because I knew it was too hot inside the store, and management knew it was too hot, but they didn't do anything about it, even after my coworker fainted.

We had to keep working with a broken AC for several more days.

-Amalinalli, former McDonald's worker, Los Angeles

FAST FOOD WORKER HEAT SURVEY RESULTS

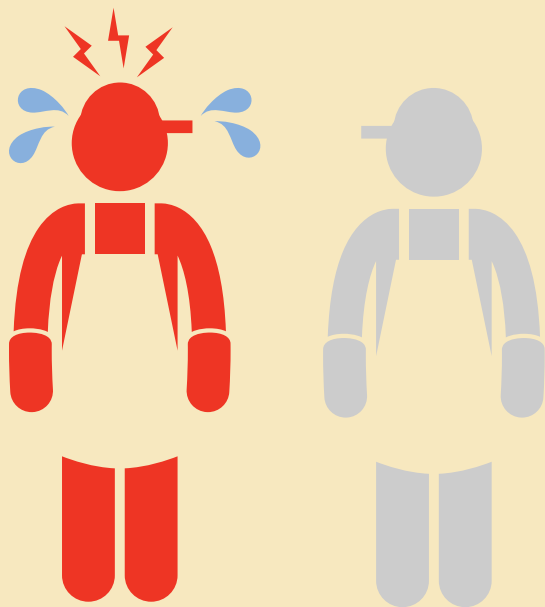
HALF REPORT HEAT ILLNESS SYMPTOMS IN PAST YEAR

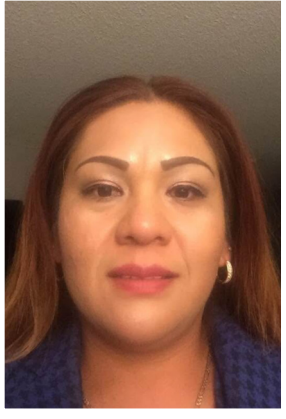
The Cal/OSHA Indoor Heat Illness Prevention standard was put in place to prevent heat illness by requiring employers to maintain safe temperatures and take preventive action if temperatures rise.

A full year after this standard went into effect, fast food workers surveyed report they continue to experience heat illness symptoms at work, such as headache, fatigue, dizziness, confusion, muscle pain and spasms, elevated heart rate, heavy sweating, hot dry skin, nausea, vomiting and fainting.

48%

Half of fast food workers surveyed reported experiencing heat illness symptoms at work in the past year, including headache, fatigue, dizziness, confusion, muscle pain and spasms, elevated heart rate, heavy sweating, hot dry skin, nausea, vomiting and fainting





On July 11, 2024, it was over 90 degrees in the kitchen and I felt like I was suffocating, sweat was dripping off my entire body, my mouth was really dry and I got a bad headache. When I told the shift manager that I had a headache, he said that he did too, “from the heat.”

The McDonald’s where I work is inside a Walmart, and there are no windows or doors to the outside that would cool down the kitchen. When customers come in on hot days, they don’t sit in the dining area because it is too hot, they just take their food to go.

We know that there is AC in the building because there is a thermostat on the wall, but when I try to turn it on, it doesn’t work. When my coworkers and I ask management at this McDonald’s to turn on the AC, they say they will ask management at the Walmart about it, but nothing changes. I have asked Walmart management myself if they can turn on the AC in the kitchen, and they always say they will check, but the AC doesn’t go on.

Management at this McDonald’s did not give us any training on how to prevent heat illness, or what to do if we experience symptoms, and management doesn’t allow us to take water breaks or cooling breaks, even when we tell them we are having symptoms of heat illness.

My coworkers and I have been working in excessive heat on hot days the whole 3 years I have been working here, but I didn’t know there was anything I could do about it - like contacting Cal/OSHA - until I learned about my rights and what to do from the California Fast Food Workers Union.

-Marbella, McDonald’s worker, Gilroy

FAST FOOD WORKER HEAT SURVEY RESULTS

ALL FAST FOOD WORKERS AT RISK OF EXCESSIVE HEAT EXPOSURE

Excessive heat exposure in fast food is not limited to the kitchen, and all fast food workers are potentially at risk.

Fast food workers experiencing excessive heat at work overwhelmingly report excessive heat in fast food kitchens, which often feature radiant heat sources such as grills, fryers and ovens.

Fast food workers surveyed, however, report excessive heat in all parts of the store, including in the drive-thru, lobby, front and back areas of the store. Factors such as poor ventilation and lack of maintenance and repair of AC units contribute to unsafe heat throughout fast food stores.

Fast food workers reporting excessive heat said it was too hot:



96% in the kitchen



40% in the drive-thru



43% in the front



29% in the lobby



46% in the back

Source: California Fast Food Worker Survey, July 2025.



Temperatures in the drive-thru often reach the 90s. I get headaches that won't go away and I feel like vomiting from the heat.

We would tell management all the time that it was too hot and ask to leave the drive-thru window open, but management doesn't let us, they say that the cooler air from outside will cool down the food.

-Yesica, El Pollo Loco worker, Los Angeles

FAST FOOD WORKER HEAT SURVEY RESULTS

MANAGEMENT SAYS FIXING AC PERMANENTLY IS “TOO EXPENSIVE”

Fast food workers experiencing excessive heat at work report that AC units are broken, turned off or insufficiently powerful to cool work areas. Workers also report long waits for repairs, that AC units break down frequently, and that management often states that it is “too expensive” to permanently fix the AC.

Under the Cal/OSHA Indoor Heat Illness Prevention standard and other regulations, employers are required to maintain safe and comfortable indoor air temperatures, and to maintain and use engineering controls, such as air conditioning, to do so. Specifically, employers are required to use engineering controls when the temperature exceeds 87°F when workers are present, or when workers are in a high-radiant heat area and the temperature equals or exceeds 82°F.⁴⁰ In fast food, grills, fryers and ovens are common sources of radiant heat.

Of workers reporting it was too hot at work:

79% 4 out of 5 reported problems with the AC



55% More than half who reported problems with the AC said management did **not fix the AC in a timely manner**



50% Half who reported problems with the AC said that management said it was “**too expensive**” to permanently fix the AC

Source: California Fast Food Worker Survey, July 2025.



The AC at this Taco Bell keeps breaking and management says it is too expensive to fix it, so they just fix it temporarily and it breaks again, and we suffer for no good reason.

Last year (2024) we had no AC for 2 days and we felt like we were drowning. It got too hot again in April 2025 and again in mid May. On May 14 by 5 PM, it was so hot I sweated through my undershirt and I had to take it off. I have high blood pressure and I feel terrible when it is too hot. Management didn't give us a fan or tell us to drink water or anything.

I have been working in fast food for 23 years and I haven't had a training about the heat. I didn't know there is a new law to prevent indoor heat illness, I am learning about it now from the Union.

-Dolores, Taco Bell, San Jose

FAST FOOD WORKER HEAT SURVEY RESULTS

TOO HOT AT WORK ON HOT DAYS OR DURING HEAT WAVES

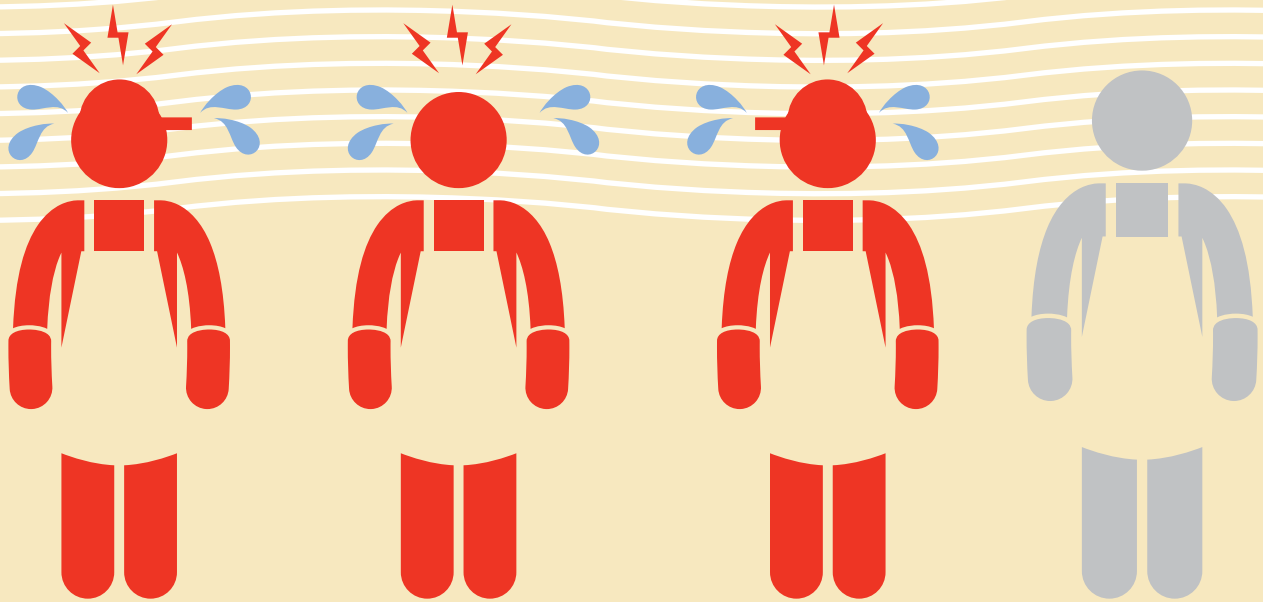
With temperatures rising across the globe and in California, unsafe heat at work is a problem that won't go away on its own.⁴¹

Hot days and heat waves increase the stress on AC units, and many break down. Many fast food workers report that indoor temperatures are higher on hot days.

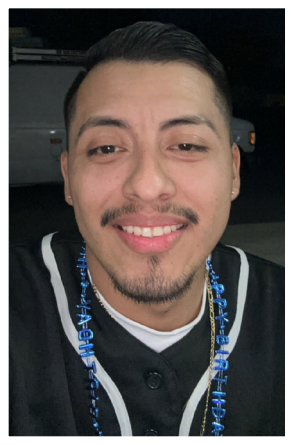
Of workers who reported it was too hot at work:

73%

3 out of 4 said it gets too hot inside the store on hot days or during heat waves



Source: California Fast Food Worker Survey, July 2025.



During the summer, it gets way too hot in the kitchen. Management has us go in the walk-in freezer to cool us down, but I feel like that is not healthy for us.

Sometimes the AC does get fixed, but it breaks again two weeks later.

-Samuel, Taco Bell worker, Alhambra

FAST FOOD WORKER HEAT SURVEY RESULTS

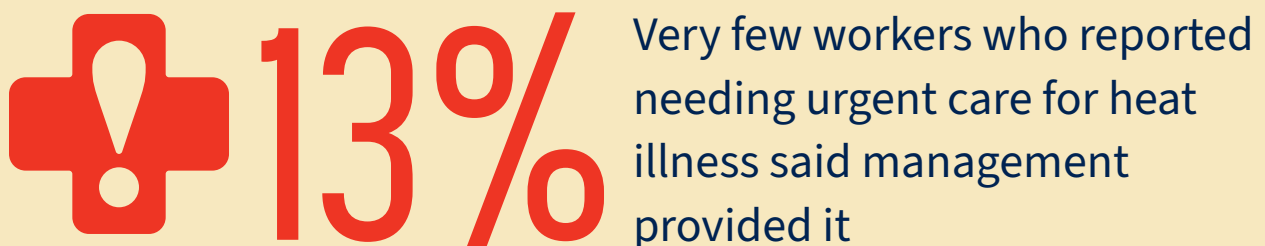
POOR INCIDENT RESPONSE: MANAGEMENT FAILS TO PROVIDE NEEDED URGENT MEDICAL CARE FOR HEAT ILLNESS

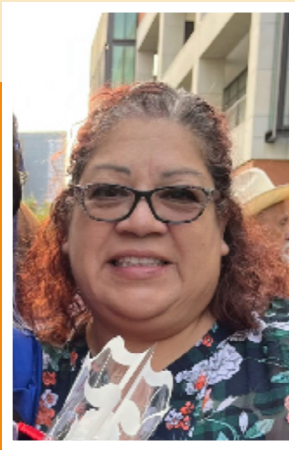
Heat illness is dangerous, can progress quickly, and without proper treatment, can cause permanent injury or death.⁴²

The Cal/OSHA Indoor Heat Illness Prevention standard requires that emergency medical services be provided as quickly as possible if a worker suffers from heat illness. Cal/OSHA guidance states:⁴³

Employers must have specific procedures to ensure that supervisors and workers are trained to recognize the signs and symptoms of heat illness, provide basic first aid (such as cooling towels and shade), obtain emergency medical services, and not allow a worker with signs or symptoms of heat illness to be left alone or sent home without being offered onsite first aid or provided with emergency medical services. Employers must be prepared to transport workers safely to a place where they can be reached by an emergency medical provider when necessary. The goal is to stop the rapid progression to more serious illness, which can include mental confusion, loss of consciousness, seizures, and death.

Of workers reporting it was too hot at work:





It was terribly hot in the kitchen, my face and lips turned white, I got a bad headache, I was sweating excessively, and I felt like the energy had completely drained from my body and like I was going to faint. My coworker gave me a sports drink with ice and told me to sit down. The manager saw this but she didn't ask if I was okay or say anything.

A few days later, the temperature reached 104.5 in the kitchen by noon. I noticed a young coworker whose skin and lips were pale, and she looked like she was about to faint. I gave her a sports drink with ice and had her sit down. Eventually, our manager sent her home, but before she left I saw her coming out of the bathroom looking like she had just thrown up.

-Martha, Taco Bell worker, Alhambra

FAST FOOD WORKER HEAT SURVEY RESULTS

POOR INCIDENT RESPONSE: MANAGEMENT FAILS TO PROVIDE FREE DRINKING WATER & OTHER PROTOCOLS TO PREVENT HEAT ILLNESS

The Cal/OSHA Indoor Heat Illness Prevention standard requires management to take several specific measures to protect workers from heat illness when temperatures rise at work. These common-sense measures include encouraging workers to drink water, providing free drinking water, encouraging workers to take cool-down breaks so they can drink water and cool down, and providing cool-down areas to do so. Cal/OSHA guidance states:⁴⁴

The standard requires not only that water be provided, but that employers remind and encourage workers to drink it frequently. Workers should be reminded throughout the work shift to drink plenty of water. ...

The employer is required to allow and encourage workers to take a cool-down rest in a cool-down area for a period of no less than five minutes at a time when they feel the need to do so to protect themselves from overheating. Waiting until symptoms appear before taking a cool-down rest may be too late. It is crucial that workers not be rushed while taking the cool-down rest, since the purpose of the cool-down rest is to reduce heat stress on the worker.

Of workers reporting it was too hot at work:



9% Very few workers said management implemented all of 4 basic Cal/OSHA requirements to prevent heat illness during high heat: encouraging workers to drink water; providing free, clean, cool drinking water; providing a cool-down area; and encouraging workers to take cool-down breaks

46% Nearly half said management did not implement any of these requirements

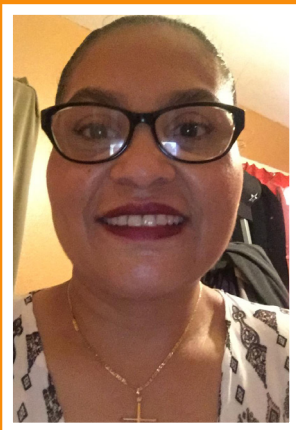
Source: California Fast Food Worker Survey, July 2025.



Sometimes coworkers come to the drive-thru and stick their heads out the window to feel the cool air outside.

It gets very hot in the drive-thru, to the point where I get headaches from the heat. I think the headaches are from dehydration. I go to the back to take a sip of water, but management pressures me to come back to the drive-thru quickly, because there is no one to cover for me.

-Guillermo, El Pollo Loco worker, Los Angeles



When I learned from the Union that when it is too hot in the store we are supposed to have cool-down breaks, I had to laugh, because I can't even imagine such a thing!

-Romualda, Wendy's worker, Oakland

FAST FOOD WORKER HEAT SURVEY RESULTS

WORKERS LACK TRAINING ON HOW TO PREVENT HEAT ILLNESS AND ON STATE REGULATIONS TO PROTECT THEM

Many workers report they are not trained on what to do if temperatures rise at work, or how to prevent heat illness, as required by the Cal/OSHA Indoor Heat Illness Prevention standard. Most workers were not informed by management about this standard, survey results show.

The Cal/OSHA guidance states that Indoor Heat Illness Prevention training must include:⁴⁵

Environmental and personal risk factors for heat illness; the employer's procedures for complying with the Indoor Heat Illness Prevention standard; the importance of frequent water consumption; the importance and methods of acclimatization; signs and symptoms of the different types of heat illness; the importance of workers immediately reporting to the employer signs and symptoms of heat illness in themselves or co-workers; the employer's procedures for responding to signs and symptoms of heat illness, such as first aid; emergency response procedures, including contacting emergency medical services with clear directions to the worksite; and prior to supervising workers, the supervisor must be trained in all of the information listed above and how to monitor and respond to hot weather reports, if the work area is affected by outdoor temperatures.



18%

Very few fast food workers surveyed reported being trained on what to do if it is too hot at work, and how to prevent heat illness symptoms



12%

Very few fast food workers surveyed were informed by management about the Cal/OSHA Indoor Heat Illness Prevention standard

Source: California Fast Food Worker Survey, July 2025.

Temperatures in the kitchen are in the 90s, and right now the airflow is blocked because the kitchen is surrounded with plastic sheeting due to construction work, concentrating the heat from the grills and ovens, and making the heat problem worse. My coworkers and I get bad headaches and feel nauseated from the heat. We become drenched in sweat, and feel like we can't breathe.

We learned from the California Fast Food Workers Union that new Cal/OSHA regulations took effect in July 2024 to protect workers like us from high heat. Management is required to fix the AC, train us on how to prevent heat illness, and what to do if we experience symptoms. If temperatures in the kitchen rise, management is supposed to encourage us to stay hydrated and provide water breaks and cooling breaks as needed, and take other measures to prevent us from suffering heat illness – but none of that is happening.

After really hot days working in the kitchen, I wake up the next day with body aches, but at my second job at a taqueria, where the AC works, this doesn't happen – it makes a difference when the employer follows the rules about keeping the AC working.

-Virgilio, Burger King worker, Newark

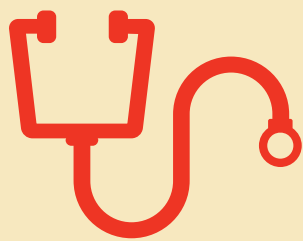
FAST FOOD WORKER HEAT SURVEY RESULTS

WORKERS LACK TRAINING ON HOW TO MONITOR FOR HEAT ILLNESS SYMPTOMS AND SEEK EMERGENCY MEDICAL CARE WHEN NEEDED

The Cal/OSHA Indoor Heat Illness Prevention standard requires employers to train workers on how to monitor for symptoms of heat illness, and when and how to seek emergency medical care. The standard also requires employers to monitor workers for symptoms and provide appropriate first aid and emergency response. Cal/OSHA guidance states:⁴⁶

Workers must be monitored during a cool-down rest and asked if they are experiencing any symptoms of heat illness, including simple fatigue. If any signs or symptoms or heat illness are observed or reported, the employer must not order the worker back to work and must continuously observe the worker until the signs and symptoms have gotten better. Common early signs and symptoms of heat illness may include pale skin, heavy sweating, headache, muscle cramps, and fatigue. ...

If heat illness is suspected, appropriate first aid and emergency response procedures (if necessary) should be initiated without delay. No worker with signs or symptoms of heat illness should be left unattended or sent home without being offered onsite first aid or provided emergency medical services.



12%

Very few reported receiving required training on how to monitor for symptoms of heat illness, and when and how to seek emergency medical care, when it was too hot at work



Since the AC broke at work again, I've been drenched with sweat and had terrible headaches.

In June (2025) management passed around a sheet of paper with information about heat and told all of us to sign it. Management did not explain what was on the paper or provide any real training, but I was able to read a little of what was written and saw that we have the right to drink water and take breaks in a cool place. I asked the manager why we should sign the paper if the AC still does not work, and he laughed but did not respond. I signed the paper because I had to, but I do not feel like I was properly trained on how to stay safe in the heat, or that management is complying with the rules.

Management does not encourage us to drink water on hot days, and recently when I tried to drink more water, the manager became visibly annoyed with me for going to the restroom. Even though we legally have the right to drink water and take cool-down breaks, we are not given the time to take them.

-Erika, El Pollo Loco worker, San Jose

SUMMARY OF INDOOR HEAT PROTECTION RIGHTS AT WORK

A new law, the Indoor Heat Illness Prevention in Indoor Places of Employment standard (California Labor Code Title 8 Section 3396) went into effect on July 23, 2024, setting requirements for employers to establish and implement effective Heat Illness Prevention plans and other requirements to protect most California workers – including fast food workers – from the hazard of excessive indoor heat.⁴⁷

Excessive indoor heat has long been a known health and safety hazard in restaurants. Since 1991, most employers in California, including fast food employers, have been required to address such known workplace hazards in their Injury and Illness Prevention plans under Title 8 Section 3203 of the California Labor Code, enforced by Cal/OSHA.⁴⁸ Under this general standard, employers are required to identify workplace hazards, inform workers about these hazards, take steps to abate the hazards, and train workers in safe practices.

The new Indoor Heat Illness Prevention standard goes beyond this general standard with clear requirements specific to the hazard of indoor heat. These requirements include: training workers to prevent, identify, monitor and respond to heat illness symptoms; provision of water and preventive cool-down breaks; tracking indoor temperatures when they start to rise; and the use of mechanical controls (such as air conditioning and ventilation fans) and administrative controls (such as breaks and rotation of assignments) to protect workers from heat illness. New and newly-assigned workers must be allowed to acclimatize to work in high heat areas, and must be monitored for symptoms of heat illness during the acclimatization period.

Other existing laws provide additional protections from excessive indoor heat, such as requirements to maintain air conditioning and ventilation equipment in working order.⁴⁹ Laws also prohibit employer retaliation against workers who report health hazards and who refuse to work under unsafe conditions.⁵⁰

INDOOR HEAT ILLNESS PREVENTION PLAN

The Indoor Heat Illness Prevention standard applies to workplaces where temperatures equal or exceed 82°F when employees are present, such as fast food restaurants.⁵¹ The standard requires that employers establish, implement, and maintain an effective written Heat Illness Prevention Plan.⁵² This plan must be available at the worksite in both English and the language understood by most workers.⁵³ At minimum, the plan must detail specific procedures for providing water, accessing cool-down areas, measuring temperature and heat index, identifying environmental risk factors, implementing control measures, responding to emergencies, and acclimatizing workers.⁵⁴

The regulation requires employers to actively involve employees and their union representatives in the heat safety process.⁵⁵ Employers must establish effective procedures to engage workers and union representatives in planning and conducting temperature measurements, recording heat data, and identifying environmental risk factors that could contribute to heat illness.⁵⁶

Additional requirements are triggered when temperatures or the heat index reach 87°F, or when employees work in an area where the temperature reaches 82°F and there is a source of high radiant heat, such as the areas around grills, fryers and ovens in fast food.⁵⁷ Under these conditions, employers must take action to reduce the temperatures, starting with feasible engineering controls to reduce temperatures below 87°F, or below 82°F for employees working in high radiant heat areas, and then add administrative controls if engineering controls are not enough. Engineering controls include air conditioning, fans and natural ventilation. Administrative controls include rotating employees, scheduling work earlier or later in the day, using work/rest schedules, reducing work intensity or speed, reducing work hours, changing required work clothing, and using relief workers.



Once when I worked at Ono Hawaiian BBQ, I woke up in the back of an ambulance because I fainted in the kitchen from the heat. I was literally making some sauces and woke up in the back of an ambulance.

As soon as I woke up, I got up and left the ambulance and went back to work, because I didn't want management to think I was too weak to handle the job, and I was afraid of getting fired.

That was in November 2021. I continued working at Ono Hawaiian because I needed the job. And it continued to be hot. The grill is 400 degrees, and the line by the steam tables is also hot. When I used to work 12-hour shifts I would go home during my lunch break to change into a fresh uniform because my clothes were drenched with sweat. Sometimes my heart beat so hard it felt like it was going to beat out of my chest. I was getting pulsating headaches and I felt dizzy.

Even after that incident, management didn't fix the heat problem, or train us on what to do if we had symptoms. I didn't know anything about heat safety, or Cal/OSHA, or my rights at work. When I started learning about it from the California Fast Food Workers Union, I brought a thermometer to work and measured the temperature at 101 degrees on June 20, 2024, and I filed an excessive heat complaint with Cal/OSHA a few days later.

-Myno, former Ono Hawaiian worker, Los Angeles

TRAINING REQUIREMENTS

Employers must provide effective training to both supervisory and non-supervisory employees on several key topics before they begin working in a potentially hot environment.⁵⁸ This includes information about environmental and personal risk factors for heat illness, including how clothing and equipment can increase heat stress.⁵⁹ Workers must be trained on their employer's specific procedures for providing water, cool-down areas, and control measures, as well as their right to exercise these protections without retaliation.⁶⁰

Employees also need to know about the importance of frequent water consumption (up to four cups per hour in hot conditions) and the concept of acclimatization—the body's gradual adaptation to heat that develops over several days of exposure.⁶¹ The training must cover different types of heat illness, symptoms, and appropriate responses, emphasizing that heat illness can quickly progress from mild symptoms to a life-threatening emergency.⁶² Workers must be taught to immediately report symptoms in themselves or coworkers, and supervisors require additional training on implementing protections and responding appropriately when workers show signs of heat-related illness.⁶³

CALIFORNIA INDOOR HEAT ILLNESS PREVENTION STANDARD REQUIREMENTS

At workplaces where indoor temperatures equal or exceed 82°F when employees are present, the Indoor Heat Illness Prevention standard requires employers take action to prevent indoor heat illness, including:⁶⁴

- * Establish a written Heat Illness Prevention Plan
- * Provide effective training on heat illness prevention
- * Provide access to free, fresh, cool drinking water
- * Remind and encourage workers throughout the work shift to drink plenty of water
- * Provide cool-down areas maintained below 82°F
- * Provide preventive cool-down rest breaks when needed, and monitor workers taking cool-down breaks for heat illness symptoms
- * Train workers on emergency response procedures
- * Provide appropriate first aid or emergency response

Additional provisions of the Indoor Heat Illness Prevention standard apply at workplaces when indoor temperatures equal or exceed 87°F when employees are present, and where workers work in a high radiant heat area (grills, fryers and ovens are sources of radiant heat) and the temperature equals or exceeds 82°F. In these situations, employers are required to:

- * Assess the temperature and maintain accurate records.
- * Reduce temperatures below 87°F, or below 82°F in high radiant heat areas, using feasible 'engineering controls' first, such as AC, ventilation fans, exhaust fans, windows and doors.
- * Acclimatize workers and observe workers for signs of heat illness. For newly hired workers and unacclimatized existing workers, the best practice is to gradually increase shift length over the first one to two weeks.
- * When feasible engineering controls are not sufficient to reduce temperatures below 87°F, or below 82°F in high radiant heat areas, use 'administrative controls', such as:
 - ⊗ Modify work schedules and activities to times of the day when the temperature is cooler or schedule shorter shifts, especially during heat waves.
 - ⊗ Require mandatory rest breaks in a cooler environment, such as a shady location or an air-conditioned building. The duration of the rest breaks should increase as heat stress rises.
 - ⊗ Schedule work at cooler periods or times of day, such as early morning or late afternoon.
 - ⊗ Rotate job functions among workers to help minimize exertion and heat exposure.
 - ⊗ Reduce work intensity or speed.
 - ⊗ Modify work clothing.
 - ⊗ Mark heat sources clearly so if workers must work nearby, they are aware of the hazards.
 - ⊗ Require workers to work in pairs or groups during extreme heat so they can monitor each other for signs of heat illness.

ENFORCEMENT OF THE INDOOR HEAT ILLNESS PREVENTION STANDARD

Cal/OSHA has jurisdiction over nearly every workplace in California, and is responsible for enforcement of most laws related to worker health and safety, including the Indoor Heat Illness Prevention standard.⁶⁵ Cal/OSHA provides consultation services to help employers understand and comply with standards, conducts inspections, investigates complaints filed by workers, advocates and the public, and takes enforcement actions including issuing citations and fines for violations.⁶⁶ Cal/OSHA has the authority to issue stop-work orders if there is an imminent danger of fatal or serious injuries.

Long-term high vacancy rates at Cal/OSHA, particularly among safety inspectors, limit Cal/OSHA's capacity to fulfill its mission.⁶⁷ In August 2024, Cal/OSHA had a vacancy rate of 46 percent in field enforcement inspector positions, with only one inspector for every 130,000 workers statewide,⁶⁸ resulting in limited capacity to inspect workplaces, including the 47,000 fast food stores located across the state.

The number of Cal/OSHA inspections across industries has been in decline, and response times are inadequate to address severe or imminent hazards. In a July 2025 report, the State Auditor found that Cal/OSHA had taken weeks or even months to initiate inspections, including in situations where it was legally required to act in a timely manner. For example, the report found that although the agency is required to investigate imminent hazard complaints within 24 hours, in 41 percent of the complaints it reviewed, Cal/OSHA had taken over 15 days to initiate a complaint, demonstrating the agency has little capacity to respond to sudden, imminent hazards, such high temperatures in a fast food kitchen during a heat wave. "Starting in 2020, the majority of worker complaints about unsafe or unhealthy conditions resulted in Cal/OSHA merely sending a letter to the employer involved, rather than making an actual work site inspection," reports Garrett Brown, a former Cal/OSHA inspector and advocate for worker health and safety.⁶⁹

The failure to implement the Indoor Heat Illness Prevention standard by many fast food employers and the limited capacity of Cal/OSHA to respond in a timely manner to worker complaints of excessive heat exposure make it essential that fast food workers be provided with independent Know Your Rights Training, so that fast food workers know what to do when facing excessive heat and other workplace hazards.

California workers have the right to report workplace hazards to their employer and to Cal/OSHA, and to refuse work they think is unsafe.⁷⁰ However, fast food worker survey results and Cal/OSHA retaliation complaints filed by California fast food workers show that workers often fear, and experience, retaliation for reporting health and safety hazards, including excessive heat, or refusing unsafe work. The 2023 California Fast Food Worker Survey found 56 percent of long-time fast food workers surveyed, and 47 percent of all respondents, said they do not feel they can ask management to address health and safety problems without fear of retaliation.⁷¹

While the law prohibits retaliation against workers who report hazards or refuse unsafe work, workers who exercise their rights may well face retaliation, such as cuts in work hours, worse work assignments, and firing. A recent amendment to the California Labor Code shifted the burden of evidence from the employee to the employer in retaliation cases where such actions occur within 90 days of a worker asserting their rights, including under Cal/OSHA, by creating a rebuttable presumption of employer retaliation.⁷²

Nonetheless, fast food workers often face impossible choices between working in unsafe conditions such as extreme heat, and risking their jobs to report such hazards or refuse unsafe work. Independent Know Your Rights training for fast food workers must include information on how to prevent and respond to heat illness and other hazards, and what to do if employers ignore or retaliate against workers, including information on the many venues and procedures for pursuing justice in cases of retaliation. Retaliation is less likely when all workers understand their rights and can exercise them collectively.⁷³

WHEN EVERYTHING GOES RIGHT: LUZ'S STORY

It is 3 pm on a hot Tuesday. About 15 minutes ago, the air conditioning in the kitchen stopped working again. It's 90 degrees outside, and with the heat of the fryers and grill, the kitchen is getting very hot. Luz texts the manager, who is currently off site, to let her know what's happening, and takes a cool-down break in the lobby, which is cooler than the kitchen. She drinks fresh water, and then returns to the kitchen and sends a coworker to take a cool-down break.

The manager reports the problem to get the air conditioning repaired as quickly as possible, and then goes to the store to re-train the workers on heat illness prevention, check the temperature, and monitor the workers for symptoms of heat illness. She reminds Luz and her coworkers about the importance of staying hydrated, reviews the symptoms of heat illness with all workers, in English and Spanish, the languages spoken by the workers, and reminds everyone to keep an eye on each other and report any symptoms right away. One of the workers is designated as the record-keeper to take down the temperature, date and time, and update it every hour.

The manager also reminds everyone to take their meal breaks and rest breaks, and that they can take cool-down breaks in the lobby to cool off and drink water if needed. The workers in the kitchen and the drive-thru, where it is also very hot, take turns taking cool-down breaks until the AC is fixed.



Our family has been thrown into a terrible situation, because management at the McDonald's where I work is retaliating against me for speaking up when the AC didn't work during a heat wave.

It felt like a sauna inside the store. I wanted to throw up from the heat, and my coworkers were suffering with headaches, dizziness and shaking. Management would not even let us take water breaks to stay hydrated. I called the California Fast Food Workers Union to find out what to do for our health and safety. My coworkers and I learned about our rights and filed a complaint with Cal/OSHA about the unsafe heat, and went on strike to demand management fix the AC.

Management did fix the AC, but they also retaliated against me, cutting my schedule from full time down as low as just 2 shifts a week, making it nearly impossible for me and my husband to support our children, who have serious health problems.

Two years ago, my 21-year-old son was diagnosed with stage 4 brain cancer, which causes seizures. I work evenings at McDonald's and my husband works days at a packing house, so one of us can always be with our son to help him take his medicine, and to call 911 when he has a seizure. He had brain surgery but the doctors could not remove the whole tumor. Also, our 16-year-old son has a tumor on his face, and is being treated with chemotherapy.

When I asked McDonald's management for my hours back, they told me to be patient and wait, and then they offered me work hours in the morning, when they know I cannot work because I have to be with my son. I have been working at this McDonald's store for 19 years. It is not right that they are retaliating against me and giving my hours to new workers, and then offering me work hours when they know I cannot work.

-Celia, McDonald's worker, Santa Nella

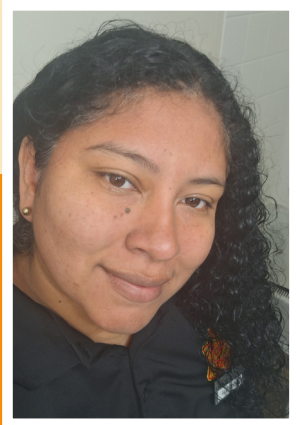
RECOMMENDATIONS

With federal worker health and safety standards under attack, and increased immigration enforcement causing rising fear in the workplace, action is needed at the state and local levels to ensure workers know their rights and how to uphold them. At the same time, temperatures continue to rise globally and in California, and the hazard of indoor heat illness will not go away on its own. Fast food workplaces should be brought into compliance with the Cal/OSHA Indoor Heat Illness Prevention standard, with increased enforcement of the standard and improved mechanisms to protect workers from retaliation for exercising their rights to be safe at work.

Independent, high-quality Know Your Rights training is urgently needed to give fast food workers the knowledge and know-how to address the hazard of excessive indoor heat, along with other hazards that put workers' lives and wellbeing at risk. These trainings will also prepare workers facing other types of abuses that are widespread in the fast food industry, such as wage theft, harassment and discrimination.⁷⁴

Recommendations:

- ✱ Fast food employers must comply with the Indoor Heat Illness Prevention standard, including maintaining safe indoor air temperatures, providing required preventive measures such as cool-down breaks and safe, cool, drinkable water at no cost to employees, and providing appropriate emergency response.
- ✱ Enforcement of the Indoor Heat Illness Prevention standard should be strengthened, including through full staffing of Cal/OSHA.
- ✱ Mechanisms to protect workers from retaliation for exercising their rights, including the rights to report health and safety hazards such as excessive heat and to refuse work that is unsafe, should be strengthened at the state and local levels, so that workers are not forced to make impossible choices between their health and safety, and their livelihood.
- ✱ Fast food workers need Know Your Rights training, presented by qualified, independent organizations experienced in providing training to low-income workers, including foreign-born workers. These programs must be presented in-person, in an environment of trust, where workers feel safe asking questions.⁷⁵ Workers should be paid for one day each year to attend these trainings.
- ✱ Independent, high-quality Know Your Rights training must include key information regarding rights, protections, programs and benefits for all fast food workers, regardless of immigration status.
- ✱ Policymakers should support efforts to pilot independent Know Your Rights trainings for fast food workers in the City of Los Angeles and Santa Clara County.



I have to be extra careful at work because I have a high-risk pregnancy, so when I get really dizzy from the heat, I lean against the wall and drink water so that I don't fall or faint. The AC at this store has been broken for as

long as I can remember. Most recently, on July 13, 2025 it got so hot in the kitchen I could barely stand it. I started to sweat a lot, got a headache, and felt restless. We have never been trained on what to do when it is too hot. No one checks if I have heat illness symptoms, or offers to help me.

I have asked management many times why they don't turn on the AC and they say that it is broken, but they do not fix it. Sometimes if it is not too hot outside we open the drive-thru window, which is helpful for the worker at the drive-thru, but the cooler air does not reach the rest of the kitchen.

Sometimes management passes around a paper with a new training, but they do not read it to us or explain what is on it, they just pass it around and tell us to sign it. Trainings should not just be a sheet of paper, they should be interactive so we can ask questions, and frequent, so we don't forget the information.

-Auxiliadora, El Pollo Loco worker, San José

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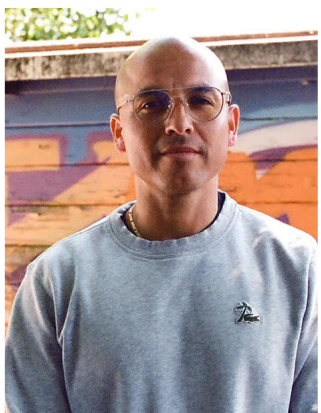
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ABOUT THE ARTIST

My name is Sam Rodriguez and I am an Illustrator born and raised in San José, California. My work spans across music, public art, community, advertising, tech and publishing. I have now been a professional full time artist since 2013, and before that I did it part time since 2002. As a youth, I was a Graffiti artist until later pursuing a BFA in Illustration at California College of the Arts in San Francisco. I have since been working to build a career while remaining in my hometown. I developed a style that was very

influenced by my surroundings here in the Bay Area. I would describe it as a blend of people, lettering and abstract shapes that reveals distinct visual narratives.

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