



## TENNESSEE FARM BUREAU FEDERATION

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January 14, 2025

U.S. Department of Labor  
Occupational Safety and Health Administration  
200 Constitution Avenue, N.W.  
Room N3626  
Washington, DC 20210

**Re: Docket No. OSHA-2021-0009; Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings**

The Tennessee Farm Bureau Federation (TFBF) appreciates the opportunity to submit comments to the Occupational Safety and Health Administration (OSHA) regarding the proposed rule titled *Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings* (Docket # OSHA-2021-0009). On behalf of our farmer members, we express concerns with the proposed heat stress rule and its potential impact on family farms across Tennessee. While TFBF is fully supportive of measures to protect the health and safety of farm workers, this proposed rule presents significant challenges for farmers and the agricultural industry. We encourage OSHA to consider these comments and those submitted by American Farm Bureau Federation.

TFBF represents a diverse group of commodity producers across the state and, with over 695,000 members, is the largest general farm organization in Tennessee. Our policy is developed through a grassroots network of farmer members who identify, research, deliberate, vote on, and adopt policies on various issues related to agriculture and rural living, including the agricultural workforce. Any heat-related labor regulations should account for the diverse labor requirements of agriculture and not be so restrictive as to create unnecessary difficulty in completing tasks essential to farming.

Producing America's food, fiber, and fuel is labor-intensive, time-sensitive, and heavily dependent on weather conditions. To ensure crops are produced efficiently, effectively, and to the highest quality possible, the agricultural workforce, at times, must work during varying weather conditions and for varying lengths of time. Farmers take providing their workforce with a safe work environment and protecting their workers from hazardous conditions very seriously. Many farmers practice heat stress mitigation measures such as shade, water, and rest breaks voluntarily to meet the needs of their specific workforce and operation. A one-size-fits all approach by OSHA fails to acknowledge the highly diverse operations, products, and climate conditions of America's farm businesses.

Tennessee has a humid subtropical climate with mild winters and hot and humid summers. During late spring and throughout summer, it is common for temperatures to meet or exceed 90-degrees Fahrenheit. TFBF is concerned with OSHA's proposal to require mandatory breaks at a

90-degree heat trigger. Although well-intentioned, mandatory breaks have the potential to disrupt workflows and affect productivity during peak planting and harvest seasons for many crops. Farmers must take advantage of days with low chances of rain, wind, and other weather conditions to harvest non-perishable products in a timely and productive manner. Delays in productivity due to mandatory breaks could threaten crop yields and quality and make the availability of fresh products more difficult.

In addition, farmers are already required to follow numerous state and federal regulations with individual costs to comply. Adding OSHA's mandates to the ever-growing list of costly regulations a farm must comply with will tighten farmers' margins, potentially resulting in farm closures, job losses, or increased food prices. OSHA should carefully consider the long-term impacts of costly regulations on those who produce America's food, fiber, and fuel.

Aside from the land itself, having an effective workforce is a farmer's most important asset. Quite simply, America's food supply cannot function efficiently without an effective workforce. It is of utmost importance to farmers in Tennessee and across America to protect its workforce and ensure they can perform duties safely. However, OSHA's proposed mandates do not account for the diversity of America's farms. We urge OSHA to reconsider these proposals and collaborate with the agricultural industry to find workable, cost-effective, and variable solutions to balance worker safety and agricultural efficiency.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Eric Mayberry".

Eric Mayberry  
President  
Tennessee Farm Bureau Federation