



## **Testimony of Matt Marks in Opposition of LD 358**

*An Act To Protect Workers from Unsafe Working Conditions with Regard to Indoor Temperatures*

Monday, February 22, 2021 10:00 AM

Joint Standing Committee on Labor and Housing

Good Morning Senator Rafferty, Representative Sylvester, and Members of the Joint Standing Committee on Labor and Housing. My name is Matt Marks; I am a Scarborough resident and am here in my capacity with the Associated General Contractors of Maine today.

My testimony is opposition, based on several questions regarding the conditions and what will be considered indoors. We certainly don't support unsafe work conditions; construction sites often have variable weather-related challenges. While OSHA recommends a working temperatures range from 68 to 78 degrees indoors, buildings under construction can face a more significant variability in temperatures. Workers have additional PPE, procedures, and guidelines to deal with extreme temperatures. While this is targeted at indoor temperatures, it doesn't include exceptions for situations, such as construction, where the temperature is a condition of the natural environment. While a building could be considered indoors, it doesn't necessarily mean the facility is operational.

We are also curious how this will be applied to facilities that are cold storage or require conditions to be at various high or low temperatures based on the products they are handling. We respectfully ask that an amendment be considered to ensure that construction activity is exempt. As you might imagine, it would be impossible to comply during our seasonal weather for a building renovation or construction regardless if it is considered indoors.

Thank you, I am happy to answer any questions.

Respectfully submitted by,

Matt Marks, AGC Maine.