



Date: March 18, 2026

Written Testimony – HB26-1272 (as amended by L.002)

Submitted by: Associated Builders and Contractors Rocky Mountain Chapter (ABC)

ABC appreciates the sponsors' efforts to amend HB26-1272 in a way that removes prescriptive mandates on employers and instead focuses on data collection and the development of voluntary best practices. This is a constructive step that better aligns with the realities of Colorado's diverse industries and working environments.

Our primary concern, however, remains with the underlying rationale for the legislation and how the issue of temperature-related workplace safety is being framed.

The study most frequently cited in support of proposals like HB26-1272 estimates that only approximately 1.18% of workplace injuries nationwide are attributable to heat exposure – and such heat exposure is defined broadly in that context to be a temperature above 70degF. While any workplace injury is important and should be taken seriously, this figure indicates that the overwhelming majority of injuries—99%—are unrelated to heat. This raises important questions about whether the available data supports the level of policy attention and potential future regulatory action contemplated by this legislation.

Additionally, the study relies on statistical correlation, not direct causation, meaning it identifies patterns between higher temperatures and injury rates but does not establish that heat exposure was the primary cause of those injuries. Policymaking based on correlational data should be approached with caution, particularly when it may lead to broad, one-size-fits-all frameworks across industries with very different risk profiles and operating conditions.

Construction employers, along with many other industries affected by this bill, already have strong incentives to manage temperature-related risks. Worker safety directly impacts productivity, insurance costs, workforce retention, and overall project performance. As a result, contractors routinely implement practical measures such as hydration protocols, adjusted work schedules, rest periods, and jobsite-specific safety planning tailored to real-time conditions.

Colorado's climate further complicates any uniform approach. Conditions vary significantly by elevation, geography, season, and time of day, making rigid or generalized standards difficult to apply effectively across all regions and job sites.

As amended, HB26-1272 shifts toward a data-driven and collaborative approach. ABC supports efforts to better understand temperature-related risks through improved data collection and

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analysis. However, it is critical that any future recommendations or model plans developed by the Department of Labor and Employment are:

- Grounded in clear, causal evidence, not solely statistical correlations;
- Developed in partnership with industry stakeholders who understand jobsite realities; and
- Flexible and adaptable to the wide range of conditions across Colorado.

We encourage policymakers to ensure that this effort remains focused on practical, evidence-based solutions rather than creating a foundation for future mandates that may not reflect real-world conditions.

ABC remains committed to working collaboratively to promote safe, productive job sites while preserving the flexibility necessary to meet the demands of Colorado's construction industry.

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Thank you, Chair and members of the committee. My name is Tykee James, and I serve as the Sr. Environmental Justice Campaign Manager at Conservation Colorado, the state's largest environmental advocacy organization. I urge a YES vote on HB26-1272.

Colorado workers, such as construction workers, landscapers, warehouse employees, truck drivers, and roofers, are increasingly exposed to extreme heat and cold temperatures, exacerbated by climate change. As climate change worsens, extreme weather events like intense heat waves and cold snaps become more frequent. Extreme temperatures create serious health problems: heatstroke, frostbite, dehydration, hypothermia, and even death. This hurts families, communities, and the state's economy. As we see the dismantling of federal labor laws and worker rights, Colorado must take on the mantle of protecting our workers.

HB26-1272 ensures workers have a hand in setting the standards that improve their working conditions. Collect data first, publish clear guidance, and then require employers to share their own plans. This is a thoughtful update to last year's bill because you can't fix what you can't measure. As amended, this bill will have 2 major phases of implementation:

First, it directs the Colorado Department of Labor and Employment to gather and organize reliable information on temperature-related illnesses, injuries, and emergencies from workers and the CDPHE

Then, using that information, CDLE will begin a rulemaking process to publish a model Temperature-Related Injury and Illness Prevention Plan that employers can use to help keep their workers safe. That plan will describe the covered activities, the monitored temperature metrics, and the straightforward steps to mitigate risk from extreme temperatures, such as climate-appropriate rest areas and breaks, access to drinking water, and emergency response best practices.

This bill is designed to respect consistency without reinventing the wheel. If your business is doing the right stuff, keep it up, and let's set an example for more workplaces to protect their workers, because no one should have to choose between their livelihood and their lives. Colorado can act now to prevent avoidable injuries and deaths as extreme heat and cold events become more common. Good work needs a good workplace.

For these reasons, I urge a YES vote on HB26-1121. Thank you for your service, and thank you for your time.

Respectfully,

Tykee James
Sr. Environmental Justice Campaign Manager
Conservation Colorado

