

ATTACHMENT A

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OF THE FINAL ORDINANCE**

ORDINANCE G-XXXX

AN ORDINANCE AMENDING ORDINANCE G-7241 TO
INCLUDE PROPOSED REVISIONS TO PHOENIX CITY
CODE CHAPTER 18, ARTICLE XI, SECTIONS 18-413(A)
AND 18-415 RELATED TO HEAT SAFETY PLANS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as
follows:

SECTION 1. That Chapter 18, Article XI, Sections 18-413(A) and 18-415 are
hereby amended and revised to clarify language for contractor requirements related to heat
safety plans as follows:

ARTICLE XI. CONTRACTOR REQUIREMENTS FOR THE MITIGATION OF HEAT-RELATED ILLNESSES AND INJURIES IN THE WORKPLACE.

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Sec. 18-413. Requirements of contractors.

A. Required Contract Language.

The following clause is required to appear in all contracts between the City and contractor
and contract between the contractor and its subcontractors, sublicenses, and sublicensees
and sublessees:

Any contractor whose employees and contract workers perform work in an outdoor
environment under this contract must keep on file a written heat safety plan. The City may
request a copy of this plan and documentation of all heat safety and mitigation efforts
currently implemented to prevent heat-related illnesses and injuries in the workplace. The
plan must also be posted in English and Spanish on a bulletin board in a break room where
it is accessible to employees. If a contractor does not have a break room, the heat safety
plan must be physically placed in a conspicuous location in the workplace where notices to

employees are customarily posted. The heat safety plan must also include a contact number of the contractor that all employees and contract workers can call if they need to inquire or report any heat safety issues AND CONTAIN LANGUAGE THAT THE CONTRACTOR WILL NOT RETALIATE AGAINST ANY EMPLOYEE OR CONTRACT WORKER WHO REPORTS AN ALLEGED HEAT SAFETY VIOLATION OR WHO OTHERWISE AVAILS THEMSELVES OF THE PROTECTIONS PROVIDED IN THIS ARTICLE. At a minimum, the heat safety and mitigation plan and documentation required under this provision shall include each of the following as it relates to heat safety and mitigation:

1. Availability of sanitized cool drinking water free of charge at locations that are accessible to all employees and contract workers.
2. Ability to take regular and necessary breaks as needed and additional breaks for hydration.
3. Access to shaded areas and/or air conditioning.
4. Access to air conditioning in vehicles with enclosed cabs. ~~all such vehicles must contain functioning air conditioning by no later than May 1, 2025.~~ BEGINNING ON APRIL 1, 2026, ALL CONTRACTORS SHALL REGULARLY MONITOR AND MAINTAIN A MONTHLY LOG VERIFYING THAT ALL SUCH VEHICLES HAVE PROPERLY FUNCTIONING AIR CONDITIONING PER THE MANUFACTURER SPECIFICATIONS AND MAKE THAT LOG AVAILABLE TO THE CITY UPON REQUEST.
5. Effective acclimatization practices to promote the physiological adaptations of employees or contract workers newly assigned or reassigned to work in an outside environment.
6. Conduct training and make it available and understandable to all employees and contract workers on heat illness and injury that focuses on the environmental and personal risk factors, prevention, how to recognize and report signs and symptoms of heat illness and injury, how to administer appropriate first aid measures and how to report heat illness and injury to emergency medical personnel.

The contractor further agrees that this clause will be incorporated in all subcontracts with subcontractors, sublicensees or sublessees who may perform labor or services in connection with this contract. Additionally, the contractor agrees to require all subcontractors, sublicensees or sublessees to include this clause in all contracts with any third party who is contracted to perform labor or services in connection with this contract. It is the obligation of the contractor to ensure compliance by its subcontractors.

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Sec. 18-415. Administrative Responsibility.

City departments shall include the requirements of this article as expressed in Section 18-413 in all bids, proposals, written quotas, contractual agreements, leases, licenses or requests for qualifications AND CONFIRM THE ABILITY TO COMPLY WITH THIS ARTICLE, AS DOCUMENTED BY A SIGNED SUBMITTAL WITH THE OFFER. FURTHER, CITY DEPARTMENTS WHEN ISSUING ANY BID, PROPOSAL, QUOTE OR REQUEST IN CONNECTION WITH A FUTURE AWARD OF A CITY CONTRACT SHALL ASK ALL PROPOSERS WHETHER THEY HAVE EVER BEEN SANCTIONED UNDER SECTION 18-414 FOR FAILURE TO COMPLY WITH THE PROVISIONS OF THIS ARTICLE. ANY PROPOSER SANCTIONED UNDER SECTION 18-414 OF THIS ARTICLE SHALL BE DISQUALIFIED FROM BEING AWARDED OR FROM ENTERING INTO A CITY CONTRACT FOR A PERIOD OF ONE YEAR FROM THE DATE A FINAL WRITTEN ADMINISTRATIVE DECISION IMPOSING THE SANCTION IS ISSUED.

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SECTION 2. That other than the amendments and revisions provided in Section 1 above, all language in Ordinance G-7241 as amended shall remain in full force and effect.

PASSED by the City Council of the City of Phoenix this 4th day of February, 2026.

MAYOR

Date

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By: _____

REVIEWED BY:

Ed Zuercher, City Manager

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