



S. 230 TESTIMONY
Ski Vermont
Molly Mahar, President
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Thank you, Chair Mihaly, and to the Committee for inviting me to testify on S. 230 this morning.

I also want to commend VOSHA for their work and resources they provide for employers. We have done educational webinars with VOSHA for our members in the past and we plan to do more.

Ski Vermont is a non-profit trade association for the state's alpine and cross-country ski areas and our members range in size from volunteer-run community ski areas to the state's largest resorts. The ski industry is an important economic driver for Vermont, particularly in the rural parts of the state where most ski areas are located. The visits generated by ski areas enable other businesses in their communities to remain open and provide jobs year-round.

Ski areas deliver recreational experiences, and their business depends on and thrives on cold weather. Ski area employees choose to work, and often recreate, in the natural environment at ski areas knowing about, and often embracing, winter conditions. Ski areas also have many indoor jobs, too.

Working in winter conditions, which is routine at ski areas, requires them to have strong safety cultures. Employee and guest safety is the top priority. Healthy and safe employees are essential to a productive workforce, and they create unique communities that make our ski areas and mountain destinations special and keep guests coming back.

Additionally, like many other businesses, ski areas operate in a competitive hiring environment, making retention of staff critical. As one of our members recently said, "if you don't take good care of your staff, you won't have them for long." And without employees our ski areas don't run.

Ski areas, and all employers, already have a responsibility under the General Duty Clause of the Occupational Safety and Health Act to proactively identify and address workplace hazards, even if those hazards aren't specifically covered by a standard. So, even though OSHA does not have a specific standard for working in cold environments, they do have cold stress guidance and employers must still provide workers with a place of employment that is free from recognized hazards, including cold weather-related hazards.

Here are some of the ways ski areas do this – and not all ski areas do things exactly the same way, but this information was compiled after hearing from many of our members and represents what is customarily done.

Training and Preparation for Work:

During the hiring process, informing job candidates about the working environment, conditions and physical demands of the role before they are offered or accept a position.

Employee training includes:

The importance of, and how to properly dress for cold weather to avoid hypothermia and frostbite by layering clothing and avoiding cotton layers, maintaining dry clothing, having extra layers, socks and gloves if needed and covering exposed skin.

They are trained to recognize signs of frostbite, hypothermia, and other cold-related illnesses and on appropriate work rotations and warm-up break schedules to minimize exposure.

Employees are also instructed to contact their supervisors, area dispatch or ski patrol immediately if they or a co-worker experience unsafe cold conditions, symptoms of cold illness or injury or any illness or injury. Employees have access to a phone or a radio to contact their supervisor, dispatch or ski patrol. Ski patrollers are medical personnel who are on site every day at a ski area and are trained to respond to cold-related and other emergencies for employees and guests.

Employee training is reinforced throughout the season through regular safety meetings and daily staff updates. This can proactively cover anticipated adverse weather conditions and emphasize what staff should be planning for and thinking about, like eating a good breakfast, staying hydrated, and having extra layers with them, for example.

Staff are provided with proper uniform garments for winter weather conditions which can include an insulated jacket or insulated layer and waterproof shell, insulated snow pants, insulated vest, and winter hat. Some areas provide gloves and employees can often access deeply discounted high-quality boots, gloves, insulating layers, and socks. Many areas also provide hand and toe warmers for staff during all shifts.

Operational Considerations and Adjustments:

Ski area operations are driven by the weather, so dynamic weather conditions are factored into an area's operations plan on a daily and sometimes hourly basis. This extends to planning and adjusting operations when colder than normal weather conditions are forecast.

Plans can be site specific, job specific and depend on many variables. For instance, 32 degrees, calm and sunny, feels a lot different than 32 degrees with a 30-mph wind blowing and snow falling. The activity level of a job makes a difference too; if an employee is

loading chairs on a fixed grip lift, they will be moving more than an employee directing cars in a parking lot, for example.

When weather conditions dictate, operating plans prioritize adjustments for the special weather conditions such as extreme cold temperatures over maintaining normal daily operations. For example, on extremely cold days, operational areas may be consolidated and some lifts closed. Staff from closed lifts and ski patrol stations are then redeployed to operating lifts and open areas, to fortify staffing levels and allow for frequent rotation and warm-up breaks, to limit staff exposure to extreme cold. Additional staff may also be scheduled or redeployed from other departments when appropriate and this is why cross training is important.

Operational adjustments like this help to ensure employee safety while maintaining operational effectiveness during periods of extreme cold.

We can also look at some data points:

Between 2020 and 2026, VOSHA received 18 total complaints about various issues from ski industry employees. Over the same six-year period, there was a total of 1,732 total complaints from employees across all industries in the state, so that means ski industry complaints were .01 percent of all complaints filed during that time. Only three of the 18 complaints from ski area employees over the six-year period were related to workplace temperatures. One of those three temperature-related complaints was investigated by VOSHA, which found the complaint to be unfounded, and the ski area was found to be in compliance. I also want to note that the ski industry in Vermont employs nearly 7,000 people.

So, that's three weather-related complaints out of 18 total over a six-year period from an industry that employs close to 7,000 people each winter. These numbers suggest that ski areas are successful, following existing standards and requirements and paying close attention to employee health and safety.

Ski areas, and all employers, already have a significant federal standard to meet, so we do not support an additional standard at the state level. Vermont's ski areas follow existing laws and already have practices in place, including training, providing engineering controls, proper outfitting, using safe work practices and making operational adjustments when weather conditions dictate to protect employees from impacts of extreme temperatures. Plans and procedures differ among jobs and locations at ski areas, and when we look more broadly at different industries that variability only expands.

Our organization and our members annually recognize employees who have 25 years or more of service at a single ski area. Over the past seven years we have celebrated nineteen employees who have worked outside at ski areas for decades: in lift operations, snowmaking, lift maintenance, ski patrol and ski school – and many others in the years prior. I don't believe this would be possible if ski areas weren't proactive and highly invested in their employees' health, safety and wellbeing.

The health and safety of ski area employees is not optional. It's a critical part of everyday operations, because it's important that employees go home healthy and whole every night. And without healthy employees, ski areas simply cannot run.

This concludes my testimony and I'm happy to answer any questions. Thank you.