

## **Talking Points: Opposition to Proposed Heat Stress Regulations**

### **1. We Support Worker Safety—But This Rule Misses the Mark**

- We all agree on the importance of protecting workers from extreme heat.
- Our companies already implement proactive measures like hydration stations, acclimatization protocols, and flexible breaks based on actual jobsite conditions.
- But this proposed regulation imposes rigid mandates that may actually undermine jobsite safety and feasibility.

### **2. One-Size-Fits-All Doesn't Work for Construction**

- Every jobsite is different—terrain, workforce, duration, scope, and weather patterns vary.
- Mandating specific rest schedules, shade structures, and administrative protocols leaves no room for real-world flexibility.
- Construction is not an assembly line—policies must reflect the dynamic nature of our industry.

### **3. Operational Disruptions Will Hurt Everyone**

- Forced downtime during peak hours will extend project timelines and raise costs for contractors, clients, and taxpayers.
- Rigid rules can break jobsite momentum and create unnecessary idle time for crews and equipment.
- These delays will jeopardize critical infrastructure work across the state.

### **4. A Cost Burden Small Contractors Can't Absorb**

- Shade structures, mandated recovery zones, and compliance tracking all add up—especially for small and mid-size contractors.
- Many in our industry are already stretched thin due to inflation, material costs, labor shortages, and supply chain delays.
- These mandates could make it harder to keep crews employed and projects on track.

### **5. Potential for Legal and Insurance Complications**

- The rules could open the door to new liabilities if good-faith efforts are second-guessed by enforcement.
- Vague or overly broad standards create uncertainty in how contractors are expected to comply.
- Insurance premiums could rise as carriers adjust to a new layer of regulatory risk.

### **6. Night Work Isn't a Viable Solution**

- Shifting work to nighttime to avoid heat creates new safety risks—fatigue, visibility issues, commuting dangers, and mental health strain.
- Many workers—especially parents and caregivers—can't work odd hours. This could drive even more workers out of the trades.

## **7. We're Already Taking Action Voluntarily**

- Most contractors already provide water, shade, breaks, and training tailored to the jobsite and weather.
- These industry-driven practices are working—and can adapt quickly to changing conditions.
- Let's improve and support these efforts, not replace them with inflexible mandates.

## **8. We Urge NM OSHA to Collaborate With Industry**

- We want to be part of the solution.
- Let's work together to craft a flexible framework that protects workers and supports jobsite realities.
- Input from contractors, foremen, and trade associations is essential to create rules that are practical, enforceable, and effective.