



May 23, 2025

Via Online Portal-

Re: EIB 25-11 (R) - Proposed New Regulation, 11.5.7 NMAC - Heat Illness and Injury Prevention

To Whom It May Concern:

The ACLU of New Mexico supports the New Mexico Environment Department's proposed Occupational Heat Standard to protect workers from the growing dangers of extreme heat in the workplace.

This is a civil rights and human dignity issue. Every worker has the fundamental right to a safe workplace. As climate change intensifies and extreme heat becomes more frequent and severe, we must ensure that no one is forced to choose between their health and their job. The proposed standard is a critical step toward ensuring that right is protected under New Mexico law.

Across the state, the workers most likely to experience unsafe heat exposure are also those most vulnerable to systemic discrimination and economic precarity: farmworkers, construction laborers, warehouse staff, domestic and food service workers—many of whom are immigrants, people of color, LGBTQ individuals, or who have limited access to healthcare or legal recourse.

This rule would:

- Guarantee life-saving protections such as access to water, shade, paid rest breaks, and acclimatization protocols;
- Require employers to develop heat illness prevention plans and emergency response procedures;
- Mandate language-accessible training, helping empower workers to recognize and respond to heat stress;
- Bolster the right to report unsafe conditions without fear of retaliation—a protection essential to upholding labor and civil rights.

The state must not allow economic interests to override the human rights of working New Mexicans—especially those whose voices are too often excluded from policymaking processes. Nor can workers in New Mexico afford to wait. Denying or delaying the adoption of this rule will mean that some of the most vulnerable New Mexico workers will continue to be at risk of heat-related illness and death. The time to act is now.

We urge the New Mexico Environment Department to stand strong in support of the proposed draft rule and the Environmental Improvement Board to adopt and fully implement this standard without delay. Protecting workers from heat-related harm is not only a public health necessity—it is a matter of racial, economic, and environmental justice.

Sincerely,

/s/ Daniel Williams

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