Maggie McColley

I respectfully urge NMED to reconsider the OSHA proposed rule, "Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings." While protecting workers from extreme heat is important, a federal mandate is not the appropriate solution for this issue.

Key Concerns-

Federal Overreach into State Authority:
This rule imposes a one-size-fits-all solution on a country with vastly different climates and economic realities. What constitutes hazardous heat in New Mexico is not the same in Maine. States and localities are in the best position to craft standards that reflect their unique environmental, economic, and industry-specific conditions.

Harmful to Small Businesses:
The rule imposes significant burdens on small businesses, including:

-Mandatory paid rest breaks and monitoring protocols.
-Costly training and compliance plans.
-Ongoing administrative overhead.

These requirements may be manageable for large corporations but are disproportionately damaging to small businesses, especially in rural or seasonal economies. Each business that has laborers in the field knows that they need to take care of their employees, and the responsibility and decisions as to how to do this most efficiently and cost effectively, should be left to the business owner with minimal guidance (not mandate) from the state. We want small businesses to thrive in New Mexico, this is a fast way to destroy our growth.

Redundant with State-Level Protections
Several states already have effective heat-related safety regulations. Adding a federal layer creates duplication, confusion, and potential legal conflict. A national mandate undermines the principles of cooperative federalism that should guide workplace safety policy.

I strongly recommend that NMED and OSHA defer to state and local governments to manage heat safety standards. This approach respects regional diversity, limits unnecessary regulatory burden, and allows for more effective, tailored protections for workers.