

Anonymous Citizen

As a safety professional, I will say that having a heat stress standard is a great idea IN THEORY. HOWEVER, companies should already have heat stress policies in place. Heat affects every individual differently, so this one-size-fits-all regulation is ABSOLUTELY UNWORKABLE for many trades in the construction industry. Companies already provide their workers with water, shade, rest breaks, training, and acclimatize them to the weather. Being penalized with a large citation for not FORCING an employee to take a paid rest break when he doesn't require a rest break is ridiculous. If a worker needs a rest break, there is not one business owner, supervisor, superintendent, or foreman that would refuse them a rest break. FORCING workers to take paid rest breaks when they don't require a rest break, WITH THE THREAT OF A PENALTY is nonsense.

Let's play out a situation. According to this proposed rule, companies have to take into account solar radiation. If a worker is fully exposed to the sun, 13 degrees must be added to the "heat index table". According to the work/rest schedule, for heavy work, (most outdoor work is considered heavy work) workers must receive 15-minute breaks EVERY HOUR at 95 degrees. Taking into account the solar radiation, workers ACTUALLY would have to take 15-minute breaks every hour at only 82 degrees. At 87 degrees, they get paid rest breaks 30 minutes every hour. At 92 degrees, workers MUST only work 15 minutes every hour, or else the company will receive a citation. Not to mention, taking so many breaks and then coming back to work might take workers' minds off of safety, and could easily lead to strains, muscle-pulls, and sprains.

This is simply not going to work for any business in the construction industry, especially road crews, concrete contractors, and iron workers. This rule would seriously negatively impact small businesses all over the state. I urge everyone to look into the proposed rule before stating "look after NM workers". There needs to be some major changes in this rule to make it doable for ALL sectors and industries. How it is worded right now would have a horrible outcome for everyone, INCLUDING workers.

Is this proposed rule going to apply to cops, paramedics, and firefighters? If so, I hope we're ready for even slower response times, among many other things.