Denise Menagh

The New Mexico Heat Illness and Injury Prevention Rule proposed by the NM Occupational Health & Safety Bureau is government overreach of individuals' personal liberty and bodily autonomy and would also be detrimental to citizens AND small businesses in New Mexico and would in turn reduce revenues to the state. We are a "mom and pop" small business in Chaves County and have been in business in Roswell for over 30 years, providing valuable services to the community in the essential transportation industry with three separate store locations, and employing over 100 individuals, supporting their families and generating revenue streams to the state, city, and county. Passage of this Rule would essentially bankrupt us and we would either be forced to close our doors, or to eliminate our workforce, usually providing between 8-15 jobs per year and supporting as many families in the community, as well as the +50,000 Roswell/Chaves residents with valuable services. We are already providing such protections as the rule proposes since our employees DO work outside, in the form of water, shade, rest breaks, as well as offering flexibility in their work schedules, especially during the extremely hot summer months. Ultimately, individuals are responsible for their own bodies. We cannot prevent them from smoking tobacco or cannabis, or from consuming alcohol or other substances that could be harmful, and the very air we breathe and the water we drink in Chaves County is a source of unknown exposure that each individual has the responsibility of protecting, in the interest of bodily autonomy. We do not abdicate our responsibility to protect our employees from known harms while they are on our premises and engaged in the employer/employee relationship, but employees always have the choice - their own free will - to NOT work in this environment if they choose not to. It's that simple. They can refuse to show up or quit or do their best to protect their own health. But the State of New Mexico is far overreaching when it demands individuals protect others from exposure to the natural elements of existing on the Earth. The reality of life in the Southwestern United States, the State of New Mexico, the County of Chaves, and the City of Roswell, is that we have some hot summers and we may also have some harsh cold, windy, snowy, or rainy weather conditions as well. It is up to individuals to know this and to protect their own person from the elements. It is a basic function of survival. These are not children, they are adults. The State of New Mexico OHSB wants to control every aspect of life and that is government overreach in the purest sense. We reject the proposed Heat Illness and Injury Prevention Rule in its entirety.