

Communication Workers of America 7076

The Communications Workers of America (CWA) Local 7076 strongly supports the Heat Illness and Injury Prevention Rule proposed by the New Mexico Environment Department/NM OSHA to protect workers in the state from heat-related illnesses and death, with some modifications as noted in this letter. Heat-related illnesses and death are preventable.

As the CWA Agency VP for SoNM-NMED, I am writing on behalf of our 300 members at that agency to express our support and the importance of this rule. As scientists and engineers, our members work throughout the state in both indoor and outdoor environments, collecting samples, performing safety inspections, and reviewing data and permits to keep the people of NM and the uniquely beautiful landscape of NM safe. Our members serve during fire and post fire recovery efforts and mobilize to provide aid following flooding, working long hours and in extreme and sometimes hazardous conditions. They are proud to do this work but our workers and all workers deserve to be protected from the preventable risks of heat-related illnesses and death.

CWA strongly supports the indoor air rule requirements as we know that many office buildings have intermittently functional air conditioners exposing non-acclimated workers to temperatures in 90s or 100s F.

I am writing in support of the heat standard rule since it incorporates best practices and science-based solutions to keep workers safe from exposure to heat at the workplace, including: coverage

of both indoor and outdoor workers; calling for written Heat Injury and Illness Prevention Plans (HIIPPs); providing for comprehensive worker training; implementing common sense preventive strategies including water, shade/cooling rooms, paid rest breaks, and acclimatization; and using trigger temperatures that are based on physiological science and years of experience from other states with heat standards. This standard will save lives.

We believe there are five key ways that the standard could be improved even more.

- The standard should require employers to include references to existing New Mexico non-retaliation laws as part of employer HIIPP plans and worker training. Because the Occupational Health & Safety Administration (OSHA) system depends on workers coming forward when they perceive violations, this communication from their employers is critically important for good enforcement of the standard.
- The standard needs more clarity on emergency procedures. In cases of heat stroke and other severe heat-related illnesses every second counts and so employers and workers alike must be well versed on what actions to take as they wait for emergency medical staff to arrive.
- The standard has only a few reasonable exemptions for specific workplaces, but it needs to clarify that buildings and vehicles with mechanical cooling controls are exempt only when those systems are functioning. Many of the complaints the NMED investigated between 2022-2025 found broken air conditioning for weeks, months, and in one case a year. Further, delivery workers should not be exempted if the cabs of their trucks have air conditioning, but they spend more than 15 minutes out of an hour either in the back of the truck or in the act of delivering packages to doorsteps.
- The NMED should strengthen the HIIPP provisions by urging employers to seek input and

involvement of non-managerial staff in drafting the plans. Front-line workers who perform work tasks daily are best placed to understand the specific dangers of the workplace, adding crucial knowledge to the HIIPP.

- The standard should specify that training must be given with opportunity to ask questions and employers should be required to re-deliver the training in the case of a serious heat-related illness or injury onsite, an OSHA citation, a fatality, or work processes changing significantly. The training should also be provided to staff that make procurement decisions to ensure that they understand the importance of providing water and shade to employees.

In closing, CWA Local 7076 strongly supports the adoption of the Heat Illness and Injury Prevention standard proposed by the New Mexico Environment Department/NM OSHA. With the requested modifications, this standard will provide essential, life-saving protections for workers across the state. We urge its swift adoption to prevent avoidable heat-related illnesses and loss of life, and to affirm New Mexico's commitment to worker safety and health.