

American Subcontractors Association NM

The American Subcontractors Association of New Mexico opposes the proposed Heat Stress Ruling. A few things to consider regarding the proposed ruling: The requirements are unrealistic for our climate and will have a major impact on production in construction. The ruling is formulated as a one size fits all and this is not feasible, especially for construction. This ruling would affect every aspect of a project, from production in the warehouse to delivery to the field. The constant breaks and cooling/rest requirements would be counterproductive and delay projects. The cost and compliance are a burden that most companies are not prepared for. Cooling tents or shades as well as misters on jobsites is an additional component for companies to maintain, replace not to mention the administrative component of the ruling would cause another burden to any company. The ruling does not take into consideration that companies are not required to monitor their employees outside of work hours for hydration. If an employee comes to work dehydrated, then the company is liable. This is an unreasonable expectation for employers. Federal law already protects workers from extreme heat, most companies already have protocol in place for Heat Stress related issues. There is also an acclimation requirement in the ruling that would delay projects even further. Our companies take very good care of their employees especially when it comes to health and safety. The correct course of action would be to take factual data and research done within our state and not rely on data from another region of the country where the climate is not comparable to ours, then maybe this ruling could be something to work with but as it stands, its creating a solution to a problem we do not have.