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1. This puts a large burden on employers to not only monitor but to maintain "accurate" records. There is minimal detail provided for what those records must contain. What is the penalty if records that do not meet an NM-OSHA employee's opinion of what is accurate or adequate?
2. Places unreasonable expectation on employers to know their worker's physical fitness, level of rest, hydration level, etc.
3. The example (Appendix I) is not atypical for much of the outdoor work season in the ABQ area. This example requires a 20-minute break for every 40 minutes worked, driving a 33% increase in time or labor addition to accomplish the same tasks, which passes that increase in cost to the local consumer.
4. Take the same example, but increase the temp to 90F, now requires 35-minute break for every 25 minutes worked, driving a 58% increase in time or labor addition to accomplish the same tasks, which passes that increase in cost to the local consumer.
5. These values of work/rest seem somewhat arbitrary and capricious. Supporting data are not presented.
6. I have worked outdoors much of my life, applying common sense to hydration and breaks, with many other workers and never once experienced heat injury or witnessed anyone else experience heat injury. Why has changed that to make this regulation needed now?
7. How does this compare to rules governing military personnel working/operating outdoors?

It's pretty clear that this regulation will dramatically increase the cost of doing business in NM and likely drive more companies to close their doors and/or move out of NM.