

Justin Garoutte

To Whom It May Concern:

As a public health professional committed to advancing health equity and preventing illness and injury, I am writing to express my strong support for the New Mexico Environment Department's proposed Occupational Heat Standard.

Occupational exposure to extreme heat is a growing public health crisis—one that will only intensify as climate change accelerates. Workers exposed to high temperatures face increased risks of heat exhaustion, heat stroke, kidney injury, cardiovascular strain, and even death. These risks are preventable, and New Mexico has an opportunity to lead the nation in addressing this urgent threat.

This proposed rule reflects a science-based, proactive public health approach by requiring employers to: (1) Develop and implement written Heat Illness and Injury Prevention Plans (HIIPPs), (2) Provide potable water, shade, and scheduled rest breaks, (3) Ensure acclimatization for new or returning workers, (4) Deliver effective, language-accessible training, and (5) Establish emergency response protocols for heat-related illness.

These are evidence-backed interventions that can significantly reduce heat-related morbidity and mortality. As with seatbelts or smoke-free workplaces, preventive occupational health policies are proven tools for saving lives and reducing the burden on our healthcare system.

Importantly, this rule also promotes health equity. The burden of extreme heat disproportionately impacts low-wage, BIPOC, immigrant, and rural workers—many of whom are already underserved by our healthcare infrastructure. By standardizing protections, New Mexico can close gaps in workplace safety and advance the wellbeing of all communities.

As a public health professional, I also support improvements to the rule such as:

(1) 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.

(2) The standard needs more clarity on emergency procedures. In cases of heat stroke and other severe heat-related illnesses, every second counts. Employers and workers alike must be well versed on what actions to take as they wait for emergency medical staff to arrive.

(3) 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 whole 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.

(4) The NMED should strengthen the HIIPP provisions by urging employers to seek input and involvement of non-managerial staff in drafting the plans. Frontline workers who perform work tasks daily are best placed to understand the specific dangers of the workplace, adding crucial knowledge to the HIIPP.

(5) The standard should specify that training must be given in person with the 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.

I urge NMED to stand by this proposed draft rule and set a strong precedent for occupational heat protections nationally through the Environmental Improvement Board's adoption of the rule this year without delay. The health and safety of New Mexico's workforce—and the resilience of our communities—depend on it.

Sincerely,

Justin Garoutte, MPH, CPH
Doctor of Public Health Candidate
Johns Hopkins Bloomberg School of Public Health
Santa Fe, NM

May 20, 2025

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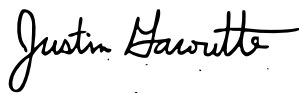
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