

CHAPTER 618 - OCCUPATIONAL SAFETY AND HEALTH

GENERAL PROVISIONS

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<u>NRS 618.805</u>	Renewal of license; continuing education or training. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]
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professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

[NRS 618.884](#)

Application for certification as crane operator: Inclusion of social security number of applicant. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

[NRS 618.885](#)

Renewal of certification as crane operator; additional requirements.

[NRS 618.886](#)

Suspension of certification as crane operator for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of certification. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

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[NRS 618.894](#)

Application for certification as trainer, production manager, supervisor or other person to provide training and testing of employees: Inclusion of social security number of applicant. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

[NRS 618.895](#)

Renewal of certification as trainer, production manager, supervisor or other person to provide training and testing of employees; additional requirements.

[NRS 618.896](#)

Suspension of certification as trainer, production manager, supervisor or other person to provide training and testing of employees for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of certification. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

[NRS 618.898](#)

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[NRS 618.900](#)

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MANDATORY OSHA-10 AND OSHA-30 TRAINING FOR ENTERTAINMENT INDUSTRY

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MANDATORY OSHA-10 AND OSHA-30 TRAINING FOR CONVENTION SERVICES

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MANDATORY OSHA-10 AND OSHA-30 TRAINING FOR EMPLOYEES OF CANNABIS ESTABLISHMENTS

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<u>NRS 618.9944</u>	“OSHA-30 course” defined.
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<u>NRS 618.9947</u>	Trainer must display trainer card; only trainers may provide courses.
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<u>NRS 618.9949</u>	Requirements to present cannabis establishment with completion card; suspension or termination for failure to comply.
<u>NRS 618.9950</u>	Penalties.

GENERAL PROVISIONS

NRS 618.005 Short title. This chapter may be cited as the Nevada Occupational Safety and Health Act.

(Added to NRS by [1973, 1010](#))

NRS 618.015 Purpose of chapter.

1. It is the purpose of this chapter to provide safe and healthful working conditions for every employee by:

- (a) Establishing regulations;
- (b) Effectively enforcing such regulations;
- (c) Educating and training employees; and
- (d) Establishing reporting procedures for job-related accidents, motor vehicle crashes and illnesses.

2. The Legislature finds that such safety and health in employment is a matter greatly affecting the public interest of this State.

(Added to NRS by [1973, 1010](#); A [2015, 1689](#))

NRS 618.025 Definitions. As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 618.029](#) to [618.165](#), inclusive, have the meanings ascribed to them in such sections.

(Added to NRS by [1973, 1010](#))

NRS 618.029 “Administrator” defined. “Administrator” means the Administrator of the Division.

(Added to NRS by [1981, 1505](#); A [1991, 2433](#))

NRS 618.035 “Board” defined. “Board” means the Occupational Safety and Health Review Board.

(Added to NRS by [1973, 1010](#); A [1977, 1247](#))

NRS 618.069 “Division” defined. “Division” means the Division of Industrial Relations of the Department of Business and Industry.

(Added to NRS by [1981, 1505](#); A [1991, 2433](#); [1993, 1879](#))

NRS 618.075 “Emergency order” defined. “Emergency order” means a restraining order issued by the Division for full or partial cessation of operations where conditions may cause death or serious physical harm.

(Added to NRS by [1973, 1010](#); A [1993, 1879](#); [1995, 579](#))

NRS 618.085 “Employee” defined. “Employee” means every person who is required, permitted or directed by any employer to engage in any employment, or to go to work or be at any time in any place of employment, under any appointment or contract of hire or apprenticeship, express or implied, oral or written, whether lawfully or unlawfully employed.

(Added to NRS by [1973, 1010](#); A [2003, 1518](#))

NRS 618.095 “Employer” defined. “Employer” means:

1. The State of Nevada, any state agency, county, city, town, school district or other unit of local government;
2. Any public or quasi-public corporation;
3. Any person, firm, corporation, partnership or association; and
4. Any officer or management official having direction or custody of any employment or employee.

(Added to NRS by [1973, 1010](#); A [1975, 765](#))

NRS 618.105 “Employment” defined. “Employment” means any trade, work, business, occupation or process of manufacture, or any method of carrying on such trade, work, business, occupation or process of manufacture, including construction work, in which any person may be engaged.

(Added to NRS by [1973, 1010](#); A [1977, 582](#))

NRS 618.115 “General order” defined. “General order” means any order which applies generally throughout the State to all employers and employees, employments or places of employment under the jurisdiction of the Division. All other orders of the Division are special orders.

(Added to NRS by [1973, 1011](#); A [1981, 1505](#); [1993, 1880](#))

NRS 618.125 “National standard” defined. “National standard” means any standard or modification thereof which:

1. Has been adopted by a nationally recognized standards-producing organization under procedures whereby it can be determined by the Administrator that persons interested and affected by the scope or provisions of the standard have reached substantial agreement on its adoption.
2. Was formulated in a manner which afforded an opportunity for diverse views to be considered.
3. Has been designated as such a standard by the Administrator after consultation with other appropriate agencies.

(Added to NRS by [1973, 1011](#); A [1993, 1880](#))

NRS 618.135 “Order” defined. “Order” means any decision, rule, regulation, direction, requirement or standard of the Division or any other determination arrived at or decision made by the Division under the safety and health provisions of this chapter.

(Added to NRS by [1973, 1011](#); A [1975, 766](#); [1981, 1505](#))

NRS 618.145 “Person” defined. “Person” includes a public agency.

(Added to NRS by [1973, 1011](#); A [1975, 766](#); [1985, 534](#))

NRS 618.155 “Place of employment” defined. “Place of employment” means any place, whether indoors or out or elsewhere, and the premises appurtenant thereto, where, either temporarily or permanently, any industry, trade, work or business is carried on, including all construction work, and where any person is directly or indirectly employed by another for direct or indirect gain or profit.

(Added to NRS by [1973, 1011](#); A [1977, 582](#))

NRS 618.165 “Safety device” or “safeguard” defined. “Safety device” or “safeguard” means any practicable method of mitigating or preventing a specific danger.

(Added to NRS by [1973, 1011](#))

DIVISION OF INDUSTRIAL RELATIONS

NRS 618.175 Function of Division. The Division shall supervise and regulate all matters relating to the protection of the safety and health of employees in conformity with the provisions of this chapter.

(Added to NRS by [1973, 1011](#); A [1981, 1506](#))

NRS 618.185 Division designated as responsible agency; cooperative agreements with other state agencies.

1. The Division is primarily responsible for occupational safety and health in this State.

2. The Division may enter agreements with state agencies by which these agencies complement each other's services and work jointly in matters affecting occupational safety and health of employees.

(Added to NRS by [1973, 1011](#); A [1981, 1506](#))

NRS 618.195 State agencies and local governments to establish safety and health programs and comply with standards.

1. Each state agency and local government shall establish and maintain an effective and comprehensive occupational safety and health program consistent with the provisions promulgated under this chapter.

2. The state and local governments shall provide their employees with conditions of employment consistent with the objectives of this chapter, and comply with standards developed under [NRS 618.295](#).

(Added to NRS by [1973, 1019](#); A [1975, 766](#))

NRS 618.205 Division to coordinate activities of state and local agencies. For the purpose of carrying out the provisions of this chapter, the Division shall coordinate to the greatest extent practicable the occupational safety and health activities of all state and local agencies and shall advise, consult and cooperate with other agencies of this State, the Federal Government, agencies of other states, interstate agencies and with affected public and private organizations.

(Added to NRS by [1973, 1011](#); A [1981, 1506](#))

NRS 618.215 Training programs for Division's personnel. The Division may institute training programs for the purpose of qualifying personnel to carry out the provisions of this chapter and may make such personnel available for participation in any program or programs of any state agency in furtherance of the purposes of this chapter.

(Added to NRS by [1973, 1018](#); A [1981, 1506](#))

NRS 618.235 Division to be administered by Department of Business and Industry; review of Administrator's decisions.

1. The Division must be administered by the Department of Business and Industry.

2. A decision on any question arising under the provisions of this chapter must be the decision of the Administrator, subject to review by the Department.

(Added to NRS by [1973, 1012](#); A [1981, 1506](#); [1985, 866](#); [1993, 1880](#))

NRS 618.255 Employees: Qualifications; conditions of employment.

1. The Division may employ such qualified employees as in the opinion of the Administrator are necessary to enforce the provisions of this chapter.

2. Any safety and health representative employed by the Division must have practical experience in the field of construction, trade, craft, technical skill, profession or industry in which the services of the representative are required.

3. The Administrator and other employees of the Division must not be financially interested in any business interfering with, or inconsistent with, their duties. Except as otherwise provided in [NRS 284.143](#), the Administrator and other employees of the Division shall give their entire time to the business of the Division and shall not pursue any other business or vocation or hold any office of profit.

4. An employee of the Division shall not serve on any committee of any political party.

(Added to NRS by [1973, 1012](#); A [1975, 766](#); [1977, 582](#); [1981, 1507](#); [1985, 443](#); [1995, 2318](#))

NRS 618.257 Sections for Enforcement and for Safety and Health Consultation, Education, Information and Training: Establishment; duties; certain programs and services for small employers.

1. The Administrator shall establish:

(a) Within the Division a Section for:

(1) Enforcement; and

(2) Safety and Health Consultation, Education, Information and Training.

(b) Such duties, in addition to the duties described in subsections 2 and 3, as the Administrator deems necessary for the Sections established pursuant to paragraph (a).

2. If authorized by the Secretary of Labor, the Section for Enforcement shall develop a program for small employers to eliminate or abate hazards to the safety and health of employees. Except as otherwise provided by federal law, if a small employer complies with the program for small employers, the Section for Enforcement may reduce any penalty, fine or interest imposed pursuant to this chapter.

3. The Section for Safety and Health Consultation, Education, Information and Training shall establish:

(a) A toll-free telephone number within this State to provide advice to a small employer who seeks assistance in complying with the requirements of this chapter; and

(b) A program designed to assist a small employer in complying with the requirements of this chapter, including, as appropriate, the preparation and dissemination of pamphlets describing the requirements of this chapter.

(Added to NRS by [1999, 896](#))

NRS 618.265 Offices of Division.

1. The Division shall maintain its principal office in Carson City, Nevada.

2. The Division shall maintain suboffices at such places as industrial activity warrants. Suboffices may have complete facilities to supervise, regulate and enforce the provisions of this chapter.

(Added to NRS by [1973, 1012](#); A [1981, 1507](#))

NRS 618.285 Duties of Division. The Division shall:

1. Prevent or abate hazards to the safety and health of employees;

2. Develop a program of eliminating or abating hazards;

3. Advise and recommend a program of safety and health applicable to public and state agencies;

4. Institute legal proceedings to compel compliance with this chapter or any rules, regulations, standards or orders adopted or issued under this chapter; and

5. Accept, receive and administer grants and other funds from any private or public source, including the Federal Government.

(Added to NRS by [1973, 1012](#); A [1981, 1507](#))

NRS 618.295 Regulations and standards; medical examination for exposure to hazard.

1. The Division shall adopt such regulations as are necessary to provide safe and healthful employment in those employments within its jurisdiction.

2. The Division shall not propose standards or regulations for products distributed or used in interstate commerce which are different from federal standards for such products unless such standards are required by compelling local conditions and do not unduly burden interstate commerce.

3. The Division may adopt by emergency regulation temporary emergency standards for the protection of employees who are exposed to grave danger from exposure to substances or agents determined to be toxic or physically harmful or from new hazards.

4. Standards established under this chapter must apply equally to all places of employment.

5. Standards or regulations must provide for furnishing prompt information to employees by means of labels or warning signs regarding hazards in the workplace. The information must include the suitable precautions, the symptoms and emergency treatment in case of exposure to hazards.

6. If an employee has been exposed to a hazard and the Division considers a medical examination necessary, the cost of the examination must be paid by the employer. The results of the examination must be furnished only to the Division and, at the request of the employee, to the employee's physician.

7. Standards or regulations must prescribe the use of suitable protective equipment and control methods or procedures to include monitoring or measuring any exposures. The employees are entitled to be apprised of such monitoring and to obtain the results.

8. All federal occupational safety and health standards which the Secretary of Labor promulgates, modifies or revokes, and any amendments thereto, shall be deemed Nevada occupational safety and health standards unless the Division, in accordance with federal law, adopts regulations establishing alternative standards that provide protection equal to the protection provided by those federal occupational safety and health standards.

(Added to NRS by [1973, 1012](#); A [1975, 766](#); [1977, 85](#); [1981, 1507](#); [1995, 1890](#))

NRS 618.297 Administrator required to adopt regulations to establish measures for employers to monitor air quality and reduce employee exposure to poor air quality from wildfire smoke.

1. The Administrator shall establish by regulation:

(a) Measures that an employer must take to monitor air quality and reduce the exposure of an employee to poor air quality from wildfire smoke where:

(1) The air quality index is 150 or more but less than 200; and

(2) The air quality index is 200 or more; and

(b) An air quality index level caused by wildfire smoke at which an employer shall not allow an employee to perform critical tasks outdoors.

2. Each employer shall establish a communications system in accordance with the requirements adopted by regulation pursuant to subsection 3 that:

(a) Informs an employee, in a manner that is understandable to the employee, when the employee is being exposed to air quality where the air quality index is 150 or more during the employee's shift and of the protective controls that are available to the employee to reduce exposure to the air quality.

(b) Allows any employee to inform the employer when the employee is being exposed to air quality where the air quality index is 150 or more in the employee's workplace and if the

employee is experiencing any symptom related to such exposure, including, without limitation, asthmatic attacks, difficulty breathing or chest pain.

3. The Administrator shall adopt regulations that prescribe:

(a) Requirements for the implementation of a communications system established pursuant to subsection 2. Such regulations may prescribe additional requirements for such a communications system.

(b) Standards for an employer to train employees who work outdoors and may be exposed to poor air quality from wildfire smoke. Such standards must require that the training:

(1) Be provided in a manner that is understandable to the employee;

(2) Describe the requirements imposed on employers pursuant to this section; and

(3) Describe the risks of not using personal protection equipment while working outdoors and being exposed to poor air quality from wildfire smoke.

4. The Administrator may develop and provide to each employer written guidance for complying with this section and any regulations adopted pursuant thereto. Such guidance may account for working conditions in rural and remote locations.

5. The regulations adopted pursuant to this section must not impose any additional liability on an employer for the purposes of industrial insurance or insurance for occupational diseases.

6. The provisions of this section do not apply to any employer who:

(a) Is an operator of a mine;

(b) Employs commercial truck drivers;

(c) Is a provider of emergency services; or

(d) Has 10 or fewer employees.

7. As used in this section:

(a) “Outdoors” means a work environment where an employee regularly performs job duties in conditions that are directly affected by the elements. The term does not include a work environment that is enclosed or climate controlled.

(b) “Provider of emergency services” means an agency of the State or a political subdivision of the State that provides police, fire fighting, rescue, emergency medical services or other services related to public safety. The term includes, without limitation, any entity that provides such services during a state of emergency or declaration of disaster proclaimed pursuant to [NRS 414.070](#).

(c) “Wildfire smoke” means smoke caused by a wildfire which contains a complex mixture of gases and particles that includes, without limitation, gases, hazardous air pollutants, water vapor and particle pollution.

(Added to NRS by [2025, 3259](#))

NRS 618.305 Sources for standards. The Division may consider the following sources in adopting standards under this chapter:

1. American National Standards Institute (ANSI).

2. American Society of Mechanical Engineers (ASME).

3. American Society for Testing and Materials (ASTM).

4. Code of Federal Regulations (CFR).

5. National Electrical Code (NEC).

6. National Fire Protection Association (NFPA).

7. Any national consensus standard.

8. Any safety order legally adopted by the Division.

(Added to NRS by [1973, 1013](#); A [1981, 1508](#))

NRS 618.315 Authority of Division over working conditions; limitations; safety orders.

1. The Division has authority over working conditions in all places of employment except as limited by subsection 2.

2. The authority of the Division does not extend to working conditions which:

- (a) Exist in household domestic service;
- (b) Exist in motor vehicles operating on public highways of this State; or
- (c) Are regulated pursuant to the Federal Mine Safety and Health Act of 1977, 30 U.S.C. §§ 801 et seq., the Federal Safety Appliance Act, 49 U.S.C. §§ 20301 et seq., or the Federal Railroad Safety Act of 1970, 49 U.S.C. §§ 20101 et seq., and any amendments thereto.

3. The Division may:

(a) Declare and prescribe which safety devices, safeguards or other means of protection are well adapted to render employees safe as required by lawful order, state standards or regulations or federal standards, as adopted by the Division.

(b) Fix and adopt such reasonable standards and prescribe, modify and enforce such reasonable orders for the adoption, installation, use, maintenance and operation of safety devices, safeguards and other means or methods of protection, which must be as nearly uniform as practicable, as may be necessary to carry out all laws and lawful orders relative to the protection of the lives, safety and health of employees.

(c) Adopt such reasonable standards for the construction, repair and maintenance of places of employment as render those places safe and healthful.

(d) Require the performance of any other act which the protection of the lives, safety and health in places of employment reasonably demands.

(e) Except as otherwise provided in [NRS 618.480](#), provide the method and frequency of making investigations, examinations and inspections.

(f) Prepare, provide and regulate forms of notices, publications and blank forms deemed proper and advisable to carry out the provisions of this chapter, and to charge to employers the printing costs for those publications.

(g) Furnish blank forms upon request.

(h) Provide for adequate notice to each employer or employee of his or her right to administrative review of any action or decision of the Division as set forth in [NRS 618.475](#) and [618.605](#) and to judicial review.

(i) Consult with the Division of Public and Behavioral Health of the Department of Human Services with respect to occupational health matters in [chapter 617](#) of NRS.

(j) Appoint and fix the compensation of advisers who shall assist the Division in establishing standards of safety and health. The Division may adopt and incorporate in its general orders such safety and health recommendations as it may receive from advisers.

(Added to NRS by [1973, 1015, 1406](#); A [1975, 525, 767](#); [1977, 86, 582](#); [1981, 585, 1508](#); [1991, 2011](#); [1995, 648](#); [2011, 1937](#))

NRS 618.325 Powers of Administrator and representatives; entry and inspection of places of employment.

1. The Administrator and the Administrator's representatives appointed under this chapter shall act with full power and authority to carry out and enforce the orders, standards and policies fixed by the Division, and for the purposes set forth in this chapter may:

- (a) Certify to official acts;
- (b) Take depositions;
- (c) Issue subpoenas;
- (d) Compel the attendance of witnesses; and

(e) Compel the production of books, papers, records, documents and testimony.

2. Upon presenting appropriate credentials to any employer, the Administrator or the Administrator's representative may:

(a) Enter without delay and at reasonable times any place of employment; and

(b) Inspect and investigate during regular working hours or at other reasonable times and within reasonable limits, that place of employment and all pertinent conditions, structures, machines, apparatus, devices, equipment and materials therein, and question privately any employer or an employee.

3. The Division shall not notify the employer of any randomly scheduled or customary regulatory inspection to be performed by the Division.

(Added to NRS by [1973, 1016](#); A [1975, 768](#); [1981, 1509](#); [1989, 469](#))

NRS 618.336 Record and logbook of complaints received from employees: Maintenance; contents; accessibility; retention.

1. The Division shall maintain a record of all oral complaints it receives under this chapter from employees or representatives of employees. The record must include a summary of the substance of each such complaint, a listing of any evidence offered to support the complaint, the date the employer was notified of the complaint and a notation of the action taken by the Division as a result of the complaint. The Division shall submit the record quarterly to the Advisory Council of the Division for review and comment.

2. In addition to the records maintained pursuant to subsection 1, the Division shall maintain a separate logbook which contains a notation of:

(a) Each oral or written complaint filed by an employee or a representative of employees alleging the existence of an imminent danger or a violation of a safety or health standard that threatens physical harm;

(b) The action taken by the Division in response to each such complaint, including, as the case may be, a notation of the fact that:

(1) A special investigation was not made because the complaint was found to be groundless after a preliminary investigation;

(2) A special investigation was made which resulted in a finding that the complaint was based on reasonable grounds and the Division took such action as was deemed appropriate; or

(3) A special investigation was made which resulted in a finding that the complaint was not based on reasonable grounds;

(c) Each citation issued by the Division to an employer and the reason for its issuance;

(d) Each inspection performed regarding the employer; and

(e) Each penalty imposed by the Division on an employer and the reason therefor.

3. The Division shall respond to oral or written requests about the information contained in or compiled from the logbook and otherwise act as necessary to disseminate the information which is required to be compiled pursuant to this section. The logbook maintained pursuant to subsection 2 must be open to public inspection during the Division's regular hours of operation.

4. The Division shall retain the records pertaining to its investigations and the records entered in the logbook maintained pursuant to this section for at least 5 years.

(Added to NRS by [1989, 467](#); A [1993, 1880](#))

NRS 618.341 Records of Division: Public inspection; copying; confidentiality; exception.

1. Except as otherwise provided in this section, the public may inspect all records of the Division which contain information regarding:

(a) An oral or written complaint filed by an employee or a representative of employees alleging the existence of an imminent danger or a violation of a safety or health standard that threatens physical harm;

(b) The manner in which the Division acted on any such complaint;

(c) Any citation issued by the Division to an employer and the reason for its issuance; and

(d) Any penalty imposed by the Division on an employer and the reason therefor.

2. The Division shall, upon oral or written request and payment of any applicable charges, provide to any person a copy of any record of the Division which is open to public inspection pursuant to subsection 1. The first six pages reproduced pursuant to each such request must be provided without charge. The charge for each additional page copied must not exceed the cost of reproduction.

3. Except as otherwise provided in subsection 4 and [NRS 239.0115](#), the Division shall keep confidential:

(a) The name of any employee who filed any complaint against an employer or who made any statement to the Division concerning an employer; and

(b) Any information which is part of a current investigation by the Division, but the fact that an investigation is being conducted is public information.

↪ As used in this subsection, “current investigation” means any investigation conducted before the issuance of a citation or notice of violation or, if no citation or notice of violation is issued, an investigation which is not closed.

4. The Division shall, upon the receipt of a written request from a law enforcement agency, disclose otherwise confidential information to that law enforcement agency for the limited purpose of pursuing a criminal investigation.

(Added to NRS by [1989, 468](#); A [1999, 1856](#); [2007, 2129](#))

NRS 618.345 Programs for collection, compilation and analysis of statistics.

1. The Division shall develop and maintain an effective program of collection, compilation and analysis of occupational safety and health statistics. This program may, at the discretion of the Division, cover all employments.

2. To carry out the provisions of subsection 1, the Division may promote, encourage or directly engage in programs of studies, information and communication concerning occupational safety and health statistics.

(Added to NRS by [1973, 1019](#); A [1975, 769](#); [1981, 1510](#); [1991, 2012, 2433](#); [1993, 623, 624, 1881, 2804](#); [1995, 579](#))

NRS 618.347 Report concerning issuance of certain citations by Division. The Division shall submit a written report quarterly to the Advisory Council of the Division which lists each citation issued by the Division for a violation of [NRS 618.375](#) during that quarter and the circumstances for which the citation was issued. Within 5 working days after submission of such a report to the Advisory Council, the Division shall transmit the report to the Legislative Counsel for inclusion in the register of administrative regulations published pursuant to [NRS 233B.0653](#).

(Added to NRS by [1999, 2408](#))

NRS 618.350 Duties of Division regarding occupational safety and health. The Division shall:

1. Develop a program of eliminating or abating hazards;

2. Advise and recommend a program of occupational safety and health applicable to public and state agencies; and

3. Provide for safety inspections and furnish advisory services to employers on measures to promote industrial safety and health.

(Added to NRS by [1991, 2432](#); A [1993, 1881](#))

NRS 618.353 Duties of Division regarding training and education of employers and employees.

1. The Division, after consultation with cooperating state agencies, shall:

(a) Conduct directly or by grants or contracts:

(1) Educational programs to provide an adequate supply of qualified personnel to carry out the purposes of this chapter.

(2) Informational programs on the importance of and proper use of adequate safety and health equipment in the workplace.

(b) Provide for the establishment and supervision of programs for the education and training of employers and employees in the recognition, avoidance and prevention of unsafe or unhealthful working conditions in employments covered by this chapter.

(c) Consult with and advise employers and employees and organizations representing employers and employees as to effective means of preventing occupational injuries and diseases. Consultative services must not detract from the enforcement efforts.

2. The Division shall request competitive bids for the development of educational and informational programs required by this section.

3. The Division shall allocate the money necessary to carry out the educational and informational programs required by this section.

(Added to NRS by [1973, 1018](#); A [1981, 1506](#); [1991, 2433](#); [1993, 1881](#))

NRS 618.357 Duty of Division to develop and implement process to determine whether criminal history disqualifies a person from obtaining license or certification pursuant to this chapter; imposition and waiver of fees; quarterly reports.

1. The Division shall develop and implement a process by which a person with a criminal history may petition the Division to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license or certification pursuant to this chapter.

2. Not later than 90 days after a petition is submitted to the Division pursuant to subsection 1, the Division shall inform the person of the determination of the Division of whether the person's criminal history will disqualify the person from obtaining a license or certification. The Division is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The Division may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Division at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license or certification from the Division.

5. A person may submit a new petition to the Division not earlier than 2 years after the final determination of the initial petition submitted to the Division.

6. The Division may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Division may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Division may post on its Internet website:

(a) The requirements to obtain a license or certification from the Division; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a license or certification from the Division.

8. The Division may request the criminal history record of a person who petitions the Division for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Division makes such a request of a person, the Division shall require the person to submit his or her criminal history record which includes a report from:

- (a) The Central Repository for Nevada Records of Criminal History; and
- (b) The Federal Bureau of Investigation.

9. A person who petitions the Division for a determination pursuant to subsection 1 shall not submit false or misleading information to the Division.

10. The Division shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

- (a) The number of petitions submitted to the Division pursuant to subsection 1;
- (b) The number of determinations of disqualification made by the Division pursuant to subsection 1;
- (c) The reasons for such determinations; and
- (d) Any other information that is requested by the Director or which the Division determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

(Added to NRS by [2019, 2958](#))

SCOPE AND OPERATION

NRS 618.365 Scope of chapter; limited disclosure of information of Division; protection of trade secrets.

1. This chapter does not supersede or in any manner affect the Nevada Industrial Insurance Act or the Nevada Occupational Diseases Act or enlarge, diminish or affect in any other manner the common-law or statutory rights, duties or liabilities of employers and employees under the laws of this State with respect to injuries, occupational or other, diseases or death of employees arising out of or in the course of employment.

2. Statements, reports and information obtained or received by the Division in connection with an investigation under, or the administration or enforcement of, the provisions of this chapter must not be admitted as evidence in any civil action other than an action for enforcement, variance hearing or review under this chapter.

3. Any report of investigation or inspection or any information concerning trade secrets or secret industrial processes obtained under this chapter must not be disclosed or open to public inspection, except:

- (a) As such information may be disclosed to other officers or employees concerned with carrying out this chapter;
- (b) When relevant in any court proceeding under this chapter; or
- (c) As otherwise provided in [NRS 618.341](#).

4. The Division, the courts, and where applicable, the review board may issue such orders as may be appropriate to protect the confidentiality of trade secrets.

(Added to NRS by [1973, 1021](#); A [1975, 769](#); [1981, 1510](#); [1989, 469](#); [1999, 1856](#))

NRS 618.370 Access by employees, former employees and their representatives to records of employers; charge for copies.

1. Employees, former employees and representatives of employees or former employees are entitled to access to any records in the possession of their employers or former employers

which indicate their exposure to toxic materials or harmful physical agents. Employers and former employers shall, upon request, provide copies of the records to the employees, former employees or representatives within 72 hours after receipt of the request.

2. If a copy of a record is provided pursuant to this section, the first six pages reproduced pursuant to the request must be provided without charge. The charge for each additional page copied must not exceed the cost of reproduction.

3. For the purposes of this section, “representative of an employee or former employee” means:

(a) A person previously identified to the Division as an authorized representative of the employee bargaining unit of a labor organization which has a collective bargaining relationship with the employer and represents the affected employees.

(b) An attorney acting for an affected employee or former employee.

(c) The spouse, parent or child of an affected employee or former employee.

(d) Any person designated by a court to act as the official representative for the estate of an affected employee or former employee.

(Added to NRS by [1975, 775](#); A [1981, 1511](#); [1989, 469](#))

NRS 618.375 Duties of employers. Every employer shall:

1. Furnish employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his or her employees.

2. Furnish and use such safety devices and safeguards, and adopt and use such practices, means, methods, operations and processes as are reasonably adequate to render such employment and places of employment safe and comply with all orders issued by the Division.

3. Post prominently in the working place all posters and information provided by the Division informing employees of their rights and obligations pursuant this chapter.

4. Assign at least one person to be in charge of occupational safety and health.

5. Do every other thing reasonably necessary to protect the lives, safety and health of employees.

(Added to NRS by [1973, 1018](#); A [1975, 770](#); [1981, 1511](#); [1991, 2434](#); [1993, 1882](#))

NRS 618.376 Employer to provide employee with rights and responsibilities to promote safety in workplace; regulations.

1. Every employer shall, upon hiring an employee, provide the employee with a document or videotape setting forth the rights and responsibilities of employers and employees to promote safety in the workplace. The document, or evidence of receipt of the videotape, must be signed by the employer and employee and placed in the employee’s personnel file. The document or videotape shall not be deemed to be a part of any employment contract.

2. The Division shall adopt regulations specifying the contents of such a document or videotape and establishing requirements for making the document or videotape available in different languages.

(Added to NRS by [1991, 2432](#); A [1993, 1882](#); [1999, 863](#))

NRS 618.378 Employer required to report certain accidents and motor vehicle crashes occurring in the course of employment; investigation of accident or crash by Division; insurer to report claimed or reported injuries and diseases; compliance with federal recordkeeping and reporting requirements; variances to those requirements.

1. Any accident or motor vehicle crash occurring in the course of employment which is fatal to one or more employees must be reported by the employer orally to the nearest office of

the Division within 8 hours after the time that the accident or crash is reported to any agent or employee of the employer.

2. Any accident or motor vehicle crash occurring in the course of employment which results in the inpatient hospitalization of one or more employees, the amputation of a part of an employee's body or an employee's loss of an eye must be reported by the employer orally to the nearest office of the Division within 24 hours after the time that the accident or crash is reported to any agent or employee of the employer.

3. A report submitted to the Division pursuant to the provisions of subsection 1 or 2 must include:

- (a) The name of the employer;
- (b) The location and time of the accident or crash;
- (c) The number of employees who were hospitalized as inpatients or who suffered fatalities, amputations or loss of an eye as a result of the accident or crash;
- (d) The names of the employees who were hospitalized as inpatients or who suffered fatalities, amputations or loss of an eye as a result of the accident or crash;
- (e) A brief description of the accident or crash; and
- (f) The name of a person who may be contacted by the Division for further information.

➡ Upon receipt of such a report, the Division shall notify the employer of the estimated time that the Division's investigator will arrive at the site of the accident or crash. The Division shall initiate an investigation at the site of the accident or crash within 8 hours after receiving the report.

4. An industrial insurer shall provide to the Division a monthly report setting forth the number, type and severity of industrial injuries and occupational diseases reported or claimed by employees in the preceding month. The report must identify the employer and be sorted according to the employer's Standard Industrial Classification or classification for the purposes of industrial insurance. The Division shall by regulation prescribe the form for the report made pursuant to this subsection. As used in this subsection, "industrial insurer" has the meaning ascribed to the term "insurer" in [NRS 616A.270](#).

5. All employers shall maintain accurate records and make reports to the United States Assistant Secretary of Labor in the same manner and to the same extent as if this chapter were not in effect.

6. The Division shall make such reasonable reports to the Assistant Secretary of Labor in such form and containing such information as the Assistant Secretary of Labor may from time to time require.

7. Requests for variances to federal recordkeeping and reporting regulations must be submitted to and obtained from the Bureau of Labor Statistics, United States Department of Labor. All variances granted by the Bureau of Labor Statistics must be respected by the Division.

(Added to NRS by [1991, 2432](#); A [1993, 2805](#); [1995, 74](#); [2015, 1689](#); [2017, 77](#))

NRS 618.3785 Division to provide notice to certain persons affected by certain accidents or motor vehicle crashes under certain circumstances.

1. If an accident or motor vehicle crash occurs in the course of employment which is fatal to one or more employees or which results in the hospitalization of three or more injured employees, the Division shall, as soon as practicable:

(a) Provide to each injured employee, the immediate family of each deceased or injured employee and each representative of each deceased or injured employee a written description of the rights of such persons with regard to an investigation of the accident or crash; and

(b) Notify each injured employee, the immediate family of each deceased or injured employee and each representative of each deceased or injured employee of:

- (1) The commencement by the Division of any investigation of the accident or crash;
- (2) The result of any informal conference between the employer and the Division;
- (3) The finalization of any agreement between an employer and the Division which formally settles an issue related to the accident or crash;
- (4) The issuance of any citation under the provisions of this chapter related to the accident or crash;
- (5) The receipt by the Division of notice from an employer that the employer wishes to contest or appeal any action or decision of the Division which relates to the accident or crash; and
- (6) The completion by the Division and, if applicable, the Board of any investigation of the accident or crash and any proceeding related to the accident or crash.

2. As used in this section, “representative of each deceased or injured employee” means:

(a) A person previously identified to the Division as an authorized representative of the employee bargaining unit of a labor organization which has a collective bargaining relationship with the employer of the employee and represents the employee.

(b) An attorney acting on behalf of the employee.

(c) A person designated by a court to act as the official representative for the employee or the estate of the employee.

(Added to NRS by [2011, 1937](#); A [2015, 1690](#))

NRS 618.379 Dismantling or removal of equipment causing certain accidents or motor vehicle crashes prohibited under certain circumstances; questioning of persons necessary for investigation.

1. Except as otherwise provided in subsection 2, if any accident or motor vehicle crash occurring in the course of employment is fatal to one or more employees or results in the hospitalization of three or more employees, and is caused, in whole or in part, by any equipment located at the site of the accident or crash, no person may dismantle or otherwise move that equipment until the Division has investigated the accident or crash and has authorized the dismantling or removal of the equipment.

2. The provisions of subsection 1 do not apply if the dismantling or removal of the equipment is necessary to free any person trapped by the equipment or to ensure the safety of or to prevent further injury to any person. If any equipment is dismantled or moved to free a trapped person, the equipment may be dismantled or moved only to the extent necessary to free the person.

3. Upon the occurrence of an accident or crash described in subsection 1, the employer of an injured employee shall, upon the arrival of an investigator of the Division at the site of the accident or crash, make available for questioning in a reasonable amount of time any person employed by the employer who is determined by the investigator to be necessary for the completion of the investigation, including the immediate supervisor of any injured employee and any employee who witnessed the accident or crash.

4. As used in this section, “accident or motor vehicle crash occurring in the course of employment” does not include:

(a) An accident or crash involving a motor vehicle that is being operated on a public highway in this State.

(b) A homicide committed at an employer’s place of business.

(Added to NRS by [1995, 73](#); A [2015, 1690](#))

NRS 618.380 Employee to be notified of harmful exposure and corrective action.

Each employer shall promptly notify any employee who has been or is being exposed to toxic materials or harmful physical agents in concentrations or at levels which exceed those

prescribed by an applicable occupational safety and health standard adopted under this chapter, and shall inform such employee of any action being taken to correct the condition.

(Added to NRS by [1975, 775](#))

NRS 618.383 Establishment of safety program: Duties of certain employers; requirements of program; training for temporary employees; regulations; exemption.

1. Except as otherwise provided in subsections 8 and 9, an employer shall establish a written safety program and carry out the requirements of the program within 90 days after it is established.

2. The written safety program must include:

(a) The establishment of a training program for employees concerning safety in the workplace, particularly in those areas where there have been recurring injuries or where explosives are manufactured.

(b) If an employer has more than 25 employees, or if an employer's employees are engaged in the manufacture of explosives, the establishment of a safety committee. The safety committee must include representatives of employees. If the employees are represented by a labor organization, the representatives of employees must be selected by the employees and not appointed by the employer.

3. A representative of employees while engaging in the business of a safety committee, including attendance at meetings, authorized inspections or any other activity of the committee, must be paid by his or her employer as if that employee were engaged in the employee's usual work activities.

4. The written safety program and all training programs required pursuant to this section must be conducted and made available in a language and format that is understandable to each employee.

5. The Administrator of the Division shall adopt regulations establishing the minimum requirements for a written safety program.

6. The Administrator of the Division shall develop and provide each employer with a written guide for establishing a written safety program.

7. An employer who contracts with a temporary employment service shall provide specialized training concerning safety for the employees of the service before they begin work at each site or as soon as possible thereafter.

8. An employer who has 10 or fewer employees is exempted from the provisions of this section unless the employer has employees engaged in the manufacture of explosives.

9. For the purposes of this section, an employer in the mining industry shall not be deemed to be a manufacturer of explosives.

10. Except as otherwise provided in subsection 11, as used in this section, "explosives" means gunpowders, powders used for blasting, all forms of high explosives, blasting materials, fuses other than electric circuit breakers, detonators and other detonating agents, smokeless powders, other explosive or incendiary devices and any chemical compound, mechanical mixture or device that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities or packing that ignition by fire, friction, concussion, percussion or detonation of the compound, mixture or device or any part thereof may cause an explosion.

11. For the purposes of this section, an explosive does not include:

(a) Ammunition for small arms, or any component thereof;

(b) Black powder commercially manufactured in quantities that do not exceed 50 pounds, percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, and friction primers that are intended to be used solely for sporting, recreation or cultural purposes:

(1) In an antique firearm, as that term is defined in 18 U.S.C. § 921(a)(16), as that section existed on January 1, 1999; or

(2) In an antique device which is exempted from the definition of “destructive device” pursuant to 18 U.S.C. § 921(a)(4), as that section existed on January 1, 1999; or

(c) Any explosive that is manufactured under the regulation of a military department of the United States, or that is distributed to, or possessed or stored by, the military or naval service or any other agency of the United States, or an arsenal, a navy yard, a depot or any other establishment owned by or operated on behalf of the United States.

(Added to NRS by [1991, 2393](#); A [1993, 772, 1882](#); [1995, 579, 2037, 2038](#); [1999, 863, 865](#))

NRS 618.384 Establishment of safety program: Employers encouraged to employ persons who have completed certain training in basic emergency care of persons in cardiac arrest. The Administrator shall encourage all employers who are required to establish a written safety program pursuant to [NRS 618.383](#) to include as a part of that program the employment of a person who has successfully completed the training requirements of a course in basic emergency care of a person in cardiac arrest that:

1. Included training in the operation and use of an automated external defibrillator; and
2. Was conducted in accordance with the standards of the American Heart Association or the American National Red Cross.

(Added to NRS by [1997, 1790](#); A [1999, 938](#))

NRS 618.385 Employers not to maintain unsafe or unhealthy places of employment. An employer shall not:

1. Require, permit or suffer any employee to go or be in any employment or place of employment which is not safe and healthful.
2. Fail to furnish, provide and use safety devices and safeguards or fail to adopt and use methods and processes reasonably adequate to render such employment and place of employment safe and healthful.
3. Fail or neglect to do every other thing reasonably necessary to protect the life, safety and health of such employees.
4. Maintain any place of employment that is not safe and healthful.

(Added to NRS by [1973, 1018](#); A [1975, 770](#))

NRS 618.395 Construction and maintenance of unsafe or unhealthy place of employment prohibited. An employer, owner or lessee of any real property in this State shall not construct, cause to be constructed or maintained any place of employment that is not safe and healthful.

(Added to NRS by [1973, 1018](#); A [1975, 770](#))

NRS 618.405 Removal of or interference with safety devices or safeguards by employee prohibited.

1. An employee shall not remove, displace, damage, destroy or carry off any safety device or safeguard furnished and provided for use in any employment or place of employment, or interfere in any way with the use thereof by any other person.
2. An employee shall not interfere with the use of any method or process adopted for the protection of any employee, including himself or herself, in such employment or place of employment.
3. Each employee shall comply with occupational safety and health standards and all rules, which are applicable to his or her own actions and conduct.

(Added to NRS by [1973, 1018](#))

NRS 618.415 Permanent variances from standards. Any affected employer may apply to the Administrator for a rule or order for a permanent variance from a standard adopted under this chapter. Affected employees must be given notice of each application and

an opportunity to participate in a hearing. The Administrator shall issue the rule or order if the Administrator determines on the record, after opportunity for an inspection where appropriate and a hearing, that the proponent of the permanent variance has demonstrated by a preponderance of the evidence that the conditions, practices, means, methods, operations or processes used or proposed to be used by an employer will provide employment and places of employment to his or her employees which are as safe and healthful as those which would prevail if the employer complied with the standard. The rule or order must prescribe the conditions the employer must maintain, the practices, means, methods, operations or processes which the employer must adopt and utilize to the extent they differ from the standard in question. Such a rule or order may be modified or revoked upon application by an employer, employees or by the Administrator on his or her own motion, in the manner prescribed for its issuance under this subsection at any time after 6 months after its issuance.

(Added to NRS by [1973, 1013](#); A [1977, 584](#); [1981, 586](#); [1993, 1883](#))

NRS 618.417 Variance from standard: Participation in experiments to safeguard health or safety. The Administrator may grant a variance from any standard or portion thereof whenever the Administrator determines that a variance is necessary to permit an employer to participate in an experiment designed to demonstrate or validate new and improved techniques to safeguard the health or safety of workers.

(Added to NRS by [1977, 584](#); A [1993, 1884](#))

NRS 618.419 Variance from standard: Application for temporary order; notice and hearing.

1. Any employer may apply to the Administrator for a temporary order granting a variance from a standard which has been adopted pursuant to this chapter but has not become effective. The temporary order may be granted only if the employer files an application which meets the requirements of subsection 2 and, after notice to the affected employees and an opportunity for a hearing, establishes that:

(a) The employer will not be able to comply with the standard by its effective date because of the unavailability of necessary professional or technical personnel or materials and equipment or because necessary construction or alteration of facilities cannot be completed by that date;

(b) The employer is taking all available steps to safeguard his or her employees against the hazards covered by the standard; and

(c) The employer has a program which will bring the working conditions into compliance with the standard as quickly as practicable.

2. The application for such a temporary order must contain:

(a) A specification of the standard or portion thereof from which the employer seeks a variance;

(b) A representation by the employer, supported by representations from qualified persons having firsthand knowledge of the facts represented, that the employer is unable to comply with the standard or portion thereof and a detailed statement of the reasons therefor;

(c) A statement of the steps the employer has taken and will take, with specific dates, to protect employees against the hazard covered by the standard;

(d) A statement of when the employer expects to be able to comply with the standard and what steps the employer has taken and what steps the employer will take, with dates specified, to come into compliance with the standard; and

(e) A certification that the employer has informed his or her employees of the application by giving a copy thereof to their authorized representative, posting a statement giving a summary of the application and specifying where a copy may be examined at the place or places where notices to employees are normally posted, and by other appropriate means. A description of how employees have been informed must be contained in the certification. The

information to employees must also inform them of their right to petition to the Administrator for a hearing.

(Added to NRS by [1977, 585](#); A [1993, 1884](#))

NRS 618.421 Variance from standard: Contents; period of effectiveness and renewal of temporary order; interim order.

1. Every temporary order granting a variance from a standard which has not become effective must prescribe:

(a) The practices, means, methods, operations and processes which the employer must adopt and use while the order is in effect; and

(b) The program to be carried out by the employer to achieve compliance with the standard.

2. Such a temporary order is effective for the period needed by the employer to achieve compliance with the standard or 1 year, whichever period is shorter. The temporary order may be renewed, but not more than twice, if:

(a) The requirements of subsection 1 of [NRS 618.419](#) are met; and

(b) An application for renewal is filed at least 90 days before the expiration date of the order.

↪ Each renewal may remain in effect no longer than 180 days.

3. The Administrator may issue one interim order to be effective until a decision is made on the basis of the hearing.

(Added to NRS by [1977, 585](#); A [1993, 1884](#))

NRS 618.425 Request for investigation; confidentiality; investigation by Division.

1. Any employee, representative of employees, provider of health care or governmental officer or employee whose primary duty is to ensure public safety, including a building inspector, building official or other similar authority, believing that a violation of a safety or health standard exists that threatens physical harm, or that an imminent danger exists, may request an investigation by giving notice, orally or in writing, to the Administrator or the Administrator's representative of the violation or danger.

2. The person giving the notice must state with reasonable particularity the grounds for the notice. Except as otherwise provided in [NRS 239.0115](#), the name of any employee giving a complaint notice or names of employees mentioned in the complaint must be held confidential. If the complaint is given orally, the Division shall send to the complainant a form upon which the complainant may supplement his or her oral complaint. The failure of the complainant to return the form does not affect the Division's duty to act pursuant to this section.

3. If upon receipt of the notification the Division determines that there are reasonable grounds to believe that a violation or imminent danger exists, it shall make a special investigation within 14 days unless there is a substantial probability that death or serious physical harm could result from the violation or danger, then the investigation must be made immediately after the Administrator receives the notice to determine whether a violation or imminent danger exists. The Division need not investigate a complaint within the times required by this subsection if, from the facts stated in the complaint, the Administrator determines that the complaint is intended solely to harass the employer. If the Division determines that there are no reasonable grounds to believe that a violation or imminent danger exists, it shall notify the employees or other person who gave the notice of such determination within 14 days after the Administrator receives the notice.

(Added to NRS by [1973, 1017](#); A [1975, 770](#); [1981, 1511](#); [1989, 470](#); [2001, 1252](#); [2007, 2129](#))

NRS 618.435 Complaint of violation before or during inspection of workplace; review of refusal to issue citation; accompaniment of Division's representative during inspection.

1. Before or during any inspection of a workplace, any employee, representative of employees, provider of health care or governmental officer or employee whose primary duty is to ensure public safety, including a building inspector, building official or other similar authority, may notify the Administrator or any representative of the Administrator responsible for conducting the inspection, orally or in writing, of any violation of this chapter which they have reason to believe exists in the workplace. The Division shall by regulation establish procedures for informal review of any refusal by a representative of the Administrator to issue a citation with respect to any such alleged violation and shall furnish the employees or other persons requesting the review a written statement of the reasons for the Administrator's final disposition of the case within 14 days after the Administrator receives the notice.

2. An opportunity must be afforded to a representative of the employer and an authorized representative of the employees to accompany the representative of the Division during the physical inspection of the place of employment or, where there is no authorized representative of the employees, consultation must be had with a reasonable number of employees, but no more than one employee may accompany the Division's representative during the inspection.

3. Any employee of the employer who accompanies the representative of the Division during the inspection pursuant to subsection 2 is entitled to be paid by the employer at the employee's regular rate of pay for the time spent with the representative of the Division inspecting the place of employment if the employee would have otherwise been compensated for working during that time.

4. For the purposes of this section, "representative of an employee" means a person previously identified to the Division as an authorized representative of the employee bargaining unit of a labor organization which has a collective bargaining relationship with the employer and represents the affected employees.

(Added to NRS by [1973, 1017](#); A [1975, 771](#); [1981, 1512](#); [1989, 471](#); [2001, 1252](#))

NRS 618.445 Employee protected from discharge or discrimination; complaint for relief and investigation; reinstatement and reimbursement.

1. A person shall not discharge or in any manner discriminate against any employee because the employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this chapter, has testified or is about to testify in any such proceeding, has performed an action described in subsection 3 of [NRS 618.7315](#) or because of the exercise by the employee on behalf of himself, herself or others of any right afforded by this chapter.

2. Any employee aggrieved by a violation of subsection 1 may file a complaint for the relief afforded under subsection 3 with the Division. Any complaint must be filed with the Division within 30 days after the violation has occurred and must set forth in writing the facts constituting the violation.

3. Upon receipt of the complaint by the Division, the Administrator shall cause such investigation to be made as the Administrator deems appropriate. If upon investigation, the Administrator determines that the provisions of subsection 1 have been violated, the Administrator shall bring an action in the name of the Administrator in any appropriate district court against the person who has committed the violation.

4. If the court finds that the employee was discharged or discriminated against in violation of subsection 1, the employee is entitled to reinstatement and reimbursement for lost wages and work benefits.

5. Any decision reached by the Administrator relating to the filing of an action pursuant to this section must be made available to the complaining employee within 90 days after the Division's receipt of the complaint.

(Added to NRS by [1973, 1024](#); A [1975, 771](#); [1981, 1512](#); [1991, 2434](#); [2013, 43](#); [2019, 3677](#))

NRS 618.455 Advance notice of inspection prohibited; exception. It is unlawful for anyone to give advance notice of an inspection except as authorized by the Administrator.

(Added to NRS by [1973, 1018](#); A [1993, 1885](#))

ENFORCEMENT

NRS 618.465 Issuance of citations.

1. If, upon inspection or investigation, the Administrator or the Administrator's authorized representative believes that an employer has violated a requirement of this chapter, or any standard, rule or order adopted or issued pursuant to this chapter, the Division shall with reasonable promptness issue a citation to the employer. Each citation must be in writing and describe with particularity the nature of the violation, including a reference to the section of this chapter or the provision of the standard, rule, regulation or order alleged to have been violated. In addition the citation must fix a reasonable time for the abatement of the violation. The Administrator may prescribe procedures for the issuance of a notice in lieu of a citation with respect to:

(a) Minor violations which have no direct or immediate relationship to safety or health; and

(b) Violations which are not serious and which the employer agrees to correct within a reasonable time.

2. Each citation issued under this section, or a copy or copies thereof, must be prominently posted as prescribed in regulations adopted by the Administrator at or near each place a violation referred to in the citation occurred.

3. No citation may be issued under this section after 6 months following the occurrence of any violation.

(Added to NRS by [1973, 1017](#); A [1975, 771](#); [1981, 587](#), [1513](#))

NRS 618.475 Citations: Notification of employer; employer's contest of citation or proposed penalty in case of fatal accident or motor vehicle crash; employee's appeal of required abatement; not reviewable if uncontested.

1. If, after an inspection or investigation, the Division issues a citation under the provisions of this chapter, it shall, within a reasonable time after the termination of the inspection or investigation, notify the employer by certified mail of the penalty, if any, proposed to be assessed under this chapter and that the employer has 30 calendar days within which to notify the Division that the employer wishes to contest the citation or proposed assessment of penalty. If, within 30 calendar days from the receipt of the notice issued by the Division, the employer fails to notify the Division that the employer intends to contest the citation or proposed assessment of penalty, and no notice is filed by any employee or representative of employees under this chapter within such time, the citation and assessment as proposed shall be deemed a final order of the review board and not subject to review by any court or agency. Upon a showing by an employer of a good faith effort to comply with the abatement requirements of a citation, and that the abatement has not been completed because of factors beyond the reasonable control of the employer, the Division shall issue an order affirming or modifying the abatement requirements in the citation.

2. In the case of an accident or motor vehicle crash occurring in the course of employment which is fatal to one or more employees, if an employer notifies the Division that the employer wishes to contest a citation or proposed assessment of penalty, the Division shall provide the Board with information as to how to contact the immediate family of each deceased employee.

3. Any employee or the representative of the employee alleging that the time fixed in the citation for the abatement of a violation by his or her employer is unreasonable may, within 30 calendar days after the date of posting of the notice of abatement pursuant to this chapter, file an appeal with the Division to contest the reasonableness of the period of time for abatement of the violation and must be notified in writing as to the time and place of hearing before the review board.

4. If no appeal is filed by an employee or the representative of the employee under subsection 3 within the time limit of 30 calendar days, the period of time fixed for the abatement of the violation is final and not subject to review by any court or the review board.

(Added to NRS by [1973, 1019](#); A [1975, 772](#); [1981, 1513](#); [2009, 815](#); [2015, 1691](#); [2019, 603](#))

NRS 618.480 Citations: Division interview and discussion with immediate family of deceased employee in case of fatal accident or crash.

1. During an investigation of an accident or motor vehicle crash occurring in the course of employment which is fatal to one or more employees, the Division shall use its best efforts to interview the immediate family of each deceased employee to obtain any information relevant to the investigation, including, without limitation, information which the deceased employee shared with the immediate family.

2. If, after the investigation of the accident or crash, the Division issues a citation under the provisions of this chapter, the Division shall offer to enter into a discussion with the immediate family of each deceased employee within a reasonable time after the Division issues the citation.

3. During the discussion described in subsection 2, the Division shall provide each family with:

- (a) Information regarding the citation and abatement process;
- (b) Information regarding the means by which the family may obtain a copy of the final incident report and abatement decision of the Division; and
- (c) Any other information that the Division deems relevant and necessary to inform the family of the outcome of the investigation by the Division.

(Added to NRS by [2009, 815](#); A [2011, 1938](#); [2015, 1691](#))

NRS 618.495 Deposition of witnesses. In an investigation the Division may cause depositions of witnesses residing within or without the State to be taken in the manner prescribed by law and Nevada Rules of Civil Procedure for taking depositions in civil actions in courts of record.

(Added to NRS by [1973, 1022](#); A [1981, 1514](#))

NRS 618.505 Compensation of witnesses.

1. Each witness who appears in obedience to a subpoena before the Division or its representative is entitled to receive for his or her attendance the fees and mileage provided for witnesses in civil cases in courts of record.

2. Claims for witnesses' fees must be audited and paid by the Division.

3. No witness subpoenaed at the instance of a party other than the Division is entitled to compensation from the Division unless the Division certifies that the testimony of the witness was material to the matter investigated.

(Added to NRS by [1973, 1022](#); A [1981, 1514](#); [1993, 1885](#))

NRS 618.515 Enforcement of orders and subpoenas of Division. If any person disobeys an order of the Division, a subpoena issued by it or one of its representatives, refuses to permit an inspection or refuses to testify as a witness to any matter regarding which the person may be lawfully interrogated, then the district judge of the county in which the person resides, on application of the Administrator or the Administrator's representative, shall compel

obedience by attachment proceedings as for contempt, as in the case of disobedience of the requirements of subpoenas issued from the court on a refusal to testify therein.

(Added to NRS by [1973, 1022](#); A [1981, 1514](#))

NRS 618.525 Division may prosecute and defend actions.

1. The Division may prosecute, defend and maintain actions in the name of the Division for the enforcement of the provisions of this chapter and is entitled to all extraordinary writs provided by the Constitution of the State of Nevada, the statutes of this State and the Nevada Rules of Civil Procedure in connection therewith for the enforcement thereof.

2. Verification of any pleading, affidavit or other paper required may be made by the Division.

3. In any action or proceeding or in the prosecution of any appeal by the Division, no bond or undertaking may be required to be furnished by the Division.

(Added to NRS by [1973, 1021](#); A [1981, 1514](#); [1993, 1885](#))

NRS 618.535 Admissibility of Division's orders, rules, regulations, findings and decisions. Every order of the Division, general or special, and its rules, regulations, findings and decisions, made and entered under the provisions of this chapter, are admissible as evidence in any prosecution for the violation of any of the provisions, and must, in every such prosecution, be presumed to be reasonable and lawful and to fix a reasonable and proper standard and requirement for safety and health unless, before the institution of the prosecution, proceedings for a rehearing thereon or a review thereof have been instituted and not finally determined.

(Added to NRS by [1973, 1022](#); A [1975, 773](#); [1981, 1514](#); [1987, 312](#))

NRS 618.545 Emergency orders of Administrator; injunctive relief.

1. The Administrator may issue an emergency order to restrain any conditions or practices in any place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of the danger can be eliminated through the other enforcement procedures provided by this chapter. Any order issued under this section may require such steps to be taken as may be necessary to avoid, correct or remove the imminent danger and prohibit the employment or presence of any person in locations or under conditions where the imminent danger exists, except persons whose presence is necessary to avoid, correct or remove the imminent danger or to maintain the capacity of a continuous process operation to resume normal operations without a complete cessation of operations or, where a cessation of operations is necessary, to permit it to be accomplished in a safe and orderly manner.

2. An order issued pursuant to subsection 1 becomes effective upon delivery to the employer or other person in charge of the place of employment where the danger exists. If, within 15 days after the effective date of the order, the employer fails to notify the Division that the employer wishes to contest the order, the order shall be deemed a final order and is not subject to review by any court or agency. If the employer contests the order within 15 days after the effective date of the order and the Division does not rescind or modify the order as requested, the employer may petition the court for relief. Upon the filing of such a petition, the district court may grant injunctive relief or a temporary restraining order pending the outcome of an enforcement proceeding pursuant to this chapter.

3. Whenever and as soon as a representative of the Division concludes that conditions or practices described in subsection 1 exist in any place of employment, the representative shall inform the affected employees and employers of the danger and that he or she is recommending to the Administrator that an emergency order be issued.

(Added to NRS by [1973, 1014](#); A [1975, 773](#); [1981, 1515](#); [1989, 471](#))

NRS 618.555 Mandamus to compel Administrator to issue emergency order. If the Administrator arbitrarily or capriciously fails to issue an emergency order pursuant to [NRS 618.545](#), any employee who may be injured by reason of such failure, or the representative of such employees may bring an action against the Administrator in the district court for the district in which the imminent danger is alleged to exist or the employer has its principal office, for a writ of mandamus to compel the Administrator to issue such an order and for such further relief as may be appropriate.

(Added to NRS by [1973, 1015](#); A [1975, 773](#); [1981, 1538](#); [1989, 472](#))

OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD

NRS 618.565 Creation; number, appointment, qualifications and terms of members.

1. The Occupational Safety and Health Review Board, consisting of five members appointed by the Governor, is hereby created under the Division.

2. The Governor shall appoint:

(a) Two members who are representatives of management.

(b) Two members who are representatives of labor.

(c) One member who is a representative of the general public.

(d) One person to serve as an alternate for the representative of the general public when that member is unable to attend a meeting of the Board.

➔ At least one of the members appointed pursuant to paragraph (a) or (b) must be knowledgeable regarding occupational safety or health.

3. After the initial terms, members shall serve terms of 4 years. No member may serve more than two terms.

4. No person employed by the Division may serve as a member of the Board.

(Added to NRS by [1973, 1020](#); A [1977, 1247](#); [1981, 69, 1515](#); [1993, 1885](#); [1995, 335](#))

NRS 618.575 Officers. The members of the Board shall annually select a Chair and Secretary from among themselves.

(Added to NRS by [1973, 1020](#); A [1975, 773](#))

NRS 618.585 Duties; legal counsel; quorum; decisions; records; duties, rights and responsibilities of alternate.

1. The Board shall:

(a) Meet as often as necessary to hold review hearings, as provided in [NRS 618.605](#), at such times and places as the Chair may determine;

(b) Enact rules and regulations governing the conduct of review hearings; and

(c) Perform such other duties as the Division may prescribe.

2. The Board may employ legal counsel to advise it concerning matters which come before it.

3. A quorum of the Board must be present in order for the conduct of review hearings or other business.

4. A quorum consists of at least three members of the Board, at least one of whom must represent labor and one of whom must represent management.

5. All decisions of the Board must be determined by a majority decision.

6. A complete record of every review hearing must be made.

7. If the alternate for the regular member representing the general public attends a meeting of the Board in the place of the regular member, the alternate fully assumes the duties,

rights and responsibilities for the duration of that meeting and is entitled to the compensation, allowances and expenses otherwise payable for members who attend that meeting.

(Added to NRS by [1973, 1021](#); A [1975, 774](#); [1981, 588, 1515](#); [1993, 1885](#); [1995, 335](#))

NRS 618.595 Compensation of members and employees.

1. Each member of the Board is entitled to receive a salary of not more than \$80, as fixed by the Board, for each day or portion thereof for attendance at meetings of the Board.

2. While engaged in the business of the Board, each member and employee of the Board is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

(Added to NRS by [1973, 1021](#); A [1975, 302, 774](#); [1981, 1990](#); [1985, 444](#); [1989, 1722](#))

NRS 618.605 Administrative review: Notice; hearing; notification of family members of deceased employees; participation of employees.

1. Upon the receipt of any written appeal or notice of contest under [NRS 618.475](#), the Division shall within 15 working days notify the Board of such an appeal or contest.

2. The Board shall hold a formal fact-finding hearing and render its decision based on the evidence presented at the hearing.

3. Prior to any formal fact-finding hearing involving a citation for an accident or motor vehicle crash occurring in the course of employment which is fatal to one or more employees, the Board shall notify the immediate family of each deceased employee of:

- (a) The time and place of the hearing; and
- (b) The fact that the hearing is open to the public.

4. Any employee of an employer or representative of the employee may participate in and give evidence at the hearing, subject to rules and regulations of the Board governing the conduct of such hearings.

(Added to NRS by [1973, 1020](#); A [1975, 774](#); [1981, 1516](#); [2009, 816](#); [2015, 1692](#))

UNLAWFUL ACTS; PENALTIES

NRS 618.625 Assessment, amount, payment and recovery of administrative fines; “serious violation” defined.

1. The Division may assess administrative fines provided for in this chapter, giving due consideration to the appropriateness of the penalty with respect to the size of the employer, the gravity of the violation, the good faith of the employer and the history of previous violations.

2. The administrative fines which may be imposed pursuant to [NRS 618.635](#), [618.645](#), [618.655](#) and [618.675](#) may not be greater than the monetary amount of the corresponding civil penalty for the applicable violation pursuant to 29 U.S.C. § 666, including any adjustments made to the civil penalty pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, Pub. L. 114-74.

3. For purposes of this chapter, a serious violation exists in a place of employment if there is a substantial probability that death or serious physical harm could result from a condition which exists, or from one or more practices, means, methods, operations or processes which have been adopted or are in use in that place of employment unless the employer did not and could not, with the exercise of reasonable diligence, know of the presence of the violation.

4. Administrative fines owed under this chapter must be paid to the Division. The fines may be recovered in a civil action in the name of the Division brought in a court of competent jurisdiction in the county where the violation is alleged to have occurred or where the employer has his or her principal office.

(Added to NRS by [1973, 1022](#); A [1975, 774](#); [1981, 588, 1516](#); [2019, 604](#))

NRS 618.635 Willful or repeated violations. Any employer who willfully or repeatedly violates any requirements of this chapter, any standard, rule, regulation or order promulgated or prescribed pursuant to this chapter, may be assessed an administrative fine in a monetary amount authorized pursuant to subsection 2 of [NRS 618.625](#) for each willful violation.

(Added to NRS by [1973, 1022](#); A [1991, 2013](#); [2019, 605](#))

NRS 618.645 Serious and nonserious violations. Any employer who has received a citation for a serious violation of any requirement of this chapter, or any standard, rule, regulation or order promulgated or prescribed pursuant to this chapter, must be assessed an administrative fine in a monetary amount authorized pursuant to subsection 2 of [NRS 618.625](#) for each such violation. If a violation is specifically determined to be of a nonserious nature an administrative fine in a monetary amount authorized pursuant to subsection 2 of [NRS 618.625](#) may be assessed.

(Added to NRS by [1973, 1023](#); A [1989, 466](#); [1991, 2013](#); [2019, 605](#))

NRS 618.655 Failure to correct violations. Any employer who fails to correct a violation for which a citation has been issued under this chapter within the period permitted for its correction may be assessed an administrative fine in a monetary amount authorized pursuant to subsection 2 of [NRS 618.625](#) for each day during which the failure or violation continues. If a review proceeding is initiated by the employer in good faith and not solely to delay or avoid any penalties, the period permitted to correct a violation does not begin until the date of the final order of the Division.

(Added to NRS by [1973, 1023](#); A [1981, 1516](#); [1989, 466](#); [1991, 2013](#); [2019, 605](#))

NRS 618.665 Refusal to submit records for inspection. Any employer who willfully refuses to submit his or her records for inspection, as provided by [NRS 618.325](#), to the Administrator or the Administrator's representative must be assessed an administrative fine of \$200 for each offense.

(Added to NRS by [1973, 1023](#); A [1981, 1538](#); [1989, 466](#))

NRS 618.675 Failure to post and maintain notices and records.

1. An employer who fails to post the notice and records as required under the provisions of this chapter must be assessed an administrative fine in a monetary amount authorized pursuant to subsection 2 of [NRS 618.625](#) for each violation.

2. An employer who fails to maintain the notice or notices and records required by this chapter must be assessed an administrative fine in a monetary amount authorized pursuant to subsection 2 of [NRS 618.625](#) for each violation.

(Added to NRS by [1973, 1023](#); A [1989, 466](#); [1991, 2013](#); [2019, 605](#))

NRS 618.685 Violation causing death of employee. Any employer who willfully violates any requirement of this chapter, or any standard, rule, regulation or order promulgated or prescribed pursuant to this chapter, where the violation causes the death of any employee, shall be punished:

1. For a first offense, for a misdemeanor by a fine of not more than \$50,000 or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment.

2. For a second or subsequent offense, for a gross misdemeanor by a fine of not more than \$100,000 or by imprisonment in the county jail for not more than 364 days, or by both fine and imprisonment.

(Added to NRS by [1973, 1023](#); A [1989, 466](#); [2003, 986](#); [2013, 989](#))

NRS 618.695 Unauthorized advance notice of inspection.

1. Any person who gives advance notice of any inspection of a workplace to be conducted under this chapter, without authority from the Administrator shall be punished by a fine of not more than \$2,000 or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment.

2. This section does not prohibit any employer from requesting consultative services at the workplace.

(Added to NRS by [1973, 1023](#); A [1981, 1538](#); [1989, 467](#))

NRS 618.705 False statements, complaints or entries; concealment of information. Any person who:

1. Knowingly makes a false statement or representation of a material fact;
 2. Knowingly files a false oral or written complaint alleging that a violation of a safety or health standard exists that threatens physical harm, or that an imminent danger exists;
 3. Knowingly fails to disclose a material fact in any document, report or other information; or
 4. Willfully makes a false entry in, or willfully conceals, withholds or destroys any books, records or statements required under the provisions of this chapter,
- ↪ shall be punished by a fine of not more than \$20,000 or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment.

(Added to NRS by [1973, 1023](#); A [1989, 472](#))

NRS 618.710 Unlawful use of title or designation indicating recognition or certification as professional in field of occupational safety and health; revocation of license; penalty.

1. A person shall not hold himself or herself out as:

(a) An associate safety professional or use in connection with the person's name the words or letters "Associate Safety Professional" or "A.S.P." or any other title, word, letter or other designation intended to imply or designate that the person is an associate safety professional, unless the person is recognized as such by the Board of Certified Safety Professionals.

(b) A certified industrial hygienist or use in connection with the person's name the words or letters "Certified Industrial Hygienist" or "C.I.H." or any other title, word, letter or other designation intended to imply or designate that the person is a certified industrial hygienist, unless the person is certified as such by the American Board of Industrial Hygiene.

(c) A certified safety professional or use in connection with the person's name the words or letters "Certified Safety Professional" or "C.S.P." or any other title, word, letter or other designation intended to imply or designate that the person is a certified safety professional, unless the person is certified as such by the Board of Certified Safety Professionals.

(d) An industrial hygienist in training or use in connection with the person's name the words or letters "Industrial Hygienist in Training" or "I.H.I.T." or any other title, word, letter or other designation intended to imply or designate that the person is an industrial hygienist in training, unless the person is certified as such by the American Board of Industrial Hygiene.

(e) An occupational health and safety technologist or use in connection with the person's name the words "Occupational Health and Safety Technologist" or "O.H.S.T." or any other title, word, letter or other designation intended to imply or designate that the person is an occupational health and safety technologist, unless the person is certified as such by the Joint Committee of the American Board of Industrial Hygiene and the Board of Certified Safety Professionals.

(f) An associate safety and health manager or use in connection with the person's name the words "Associate Safety and Health Manager" or "A.S.H.M." or any other title, word, letter or other designation intended to imply or designate that the person is an associate safety

and health manager, unless the person is recognized as such by the Institute for Safety and Health Management.

(g) A certified safety and health manager or use in connection with the person's name the words "Certified Safety and Health Manager" or "C.S.H.M." or any other title, word, letter or other designation intended to imply or designate that the person is a certified safety and health manager, unless the person is certified as such by the Institute for Safety and Health Management.

2. The Division shall report any alleged violation of subsection 1 to the district attorney of the county in which the alleged violation occurred.

3. Any governmental entity that has issued a license to conduct business in this State as an associate safety professional, a certified industrial hygienist, a certified safety professional, an industrial hygienist in training, an occupational health and safety technologist, an associate safety and health manager or a certified safety and health manager to a person who is convicted of violating any provision of subsection 1 shall revoke that license and send notice of the revocation to the licensee by certified mail.

4. Any person who violates a provision of subsection 1 is guilty of a misdemeanor.

(Added to NRS by [1995, 403](#); A [2005, 256](#))

NRS 618.715 Separate and continuing offenses. Each violation of any provision of this chapter, or any part or portion thereof, is a separate and distinct offense, and in the case of a violation continuing past the abatement date, each day's continuance thereof constitutes a separate and distinct offense.

(Added to NRS by [1973, 1023](#))

MISCELLANEOUS PROVISIONS

NRS 618.720 Separate lavatories for men and women to be provided; penalty.

1. It shall be unlawful for any person, firm, association or corporation, employing in the same building or on the same premises five or more males and three or more females, to fail to provide separate lavatories or toilet rooms for each sex and to fail to designate the same plainly by a printed or painted sign on the door of the lavatory or toilet room so provided.

2. Any person, firm, association or corporation violating the provisions of this section shall be guilty of a misdemeanor.

3. In conjunction with peace officers, the Labor Commissioner shall investigate and report to the proper officer any violation of this section.

4. This section shall not apply to:

(a) Persons, firms, associations or corporations located in office buildings where there are lavatories or toilet rooms for each sex reasonably accessible within the building.

(b) Persons employing servants or other domestics in their homes or residences.

[1:49:1925; NCL § 2812] + [2:49:1925; NCL § 2813] + [3:49:1925; NCL § 2814] + [4:49:1925; NCL § 2815]—(NRS A [1967, 637](#))—(Substituted in revision for NRS 618.320)

WORKPLACE VIOLENCE AT MEDICAL FACILITIES

NRS 618.7301 Definitions. As used in [NRS 618.7301](#) to [618.7318](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 618.7302](#) to [618.7311](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [2019, 3671](#))

NRS 618.7302 "Alarm" defined. "Alarm" means a mechanical or electronic communication system that does not rely on the vocalization of a person to alert others to an incident of workplace violence.

(Added to NRS by [2019, 3671](#))

NRS 618.7303 “Dangerous weapon” defined. “Dangerous weapon” means an item capable of inflicting death or serious bodily injury, regardless of whether the item was designed for that purpose.

(Added to NRS by [2019, 3671](#))

NRS 618.7304 “Engineering control” defined. “Engineering control” means an aspect of a building, other designed space or device that removes a hazard from the workplace or creates a barrier between an employee or other provider of care and the hazard. The term includes one or more of the following:

1. Electronic access controls to areas occupied by employees or other providers of care;
2. Detectors for weapons, whether installed or handheld;
3. Workstations enclosed with glass that is resistant to shattering;
4. Deep service counters;
5. Separate rooms or areas for patients that pose a high risk of workplace violence;
6. Locks on doors;
7. Furniture affixed to the floor;
8. Opaque glass in rooms for patients that allows an employee or other provider of care to see the location of the patient before entering the room;
9. Closed-circuit television monitoring and video recording;
10. Devices designed to aid the sight of an employee or other provider of care;
11. Personal alarm devices; or
12. Any other measure or device that removes a hazard from the workplace or creates a barrier between an employee or other provider of care and a hazard.

(Added to NRS by [2019, 3671](#))

NRS 618.7305 “Medical facility” defined. “Medical facility” means:

1. A hospital, as defined in [NRS 449.012](#);
2. A psychiatric hospital, as defined in [NRS 449.0165](#);
3. An agency to provide nursing in the home, as defined in [NRS 449.0015](#), that has at least 50 employees;
4. An independent center for emergency medical care, as defined in [NRS 449.013](#);
5. A facility for intermediate care, as defined in [NRS 449.0038](#);
6. A facility for skilled nursing, as defined in [NRS 449.0039](#);
7. A facility for modified medical detoxification, as defined in [NRS 449.00385](#); or
8. A community triage center, as defined in [NRS 449.0031](#).

(Added to NRS by [2019, 3672](#); A [2019, 3680](#))

NRS 618.7306 “Patient-specific risk factor” defined. “Patient-specific risk factor” means a factor specific to a patient that may increase the likelihood or severity of an incident of workplace violence. The term includes one or more of the following:

1. The mental health of a patient;
2. The status of a patient’s treatment and medication;
3. A history of violent acts by the patient;
4. The use of drugs or alcohol by the patient; or
5. Any other condition that may cause a patient to experience confusion or disorientation, fail to respond to instruction or behave unpredictably.

(Added to NRS by [2019, 3672](#))

NRS 618.7307 “Public safety agency” defined. “Public safety agency” means:

1. A public fire department, fire protection district or other agency of this State or a political subdivision of this State, the primary functions of which are to control, extinguish and suppress fires;

2. A law enforcement agency as defined in [NRS 277.035](#); or

3. An emergency medical service.

(Added to NRS by [2019, 3672](#))

NRS 618.7308 “Security guard” defined. “Security guard” has the meaning ascribed to it in [NRS 648.016](#).

(Added to NRS by [2019, 3672](#))

NRS 618.7309 “Threat of violence” defined. “Threat of violence” means a statement or conduct that:

1. Results in a reasonable person fearing for his or her safety because of the likelihood of physical injury; and

2. Has no legitimate purpose.

(Added to NRS by [2019, 3672](#))

NRS 618.7310 “Work practice control” defined. “Work practice control” means a procedure or rule that is used to reduce the risk of workplace violence, including, without limitation:

1. Assigning and placing staff in a manner that reduces patient-specific risk factors;

2. Employing or contracting with security guards when applicable; and

3. Providing training on methods to prevent workplace violence and respond to incidents of workplace violence.

(Added to NRS by [2019, 3672](#))

NRS 618.7311 “Workplace violence” defined. “Workplace violence” means any act of violence or threat of violence that occurs at a medical facility, except for a lawful act of self-defense or defense of another person. The term includes, without limitation:

1. The use or threatened use of physical force against an employee or other provider of care, regardless of whether the employee or other provider of care is physically or psychologically injured; and

2. An incident involving the use or threatened use of a firearm or other dangerous weapon, regardless of whether an employee or other provider of care is physically or psychologically injured.

(Added to NRS by [2019, 3673](#))

NRS 618.7312 Medical facility required to establish committee on workplace safety and develop plan relating to workplace violence; contents of plan.

1. A medical facility shall:

(a) Establish a committee on workplace safety, which must consist of:

(1) If a staffing committee has been established for the medical facility pursuant to [NRS 449.242](#) or an applicable collective bargaining agreement:

(I) The members of the staffing committee; and

(II) Employees of the medical facility who work in areas of the medical facility other than those represented on the staffing committee, appointed by the operator of the medical facility.

(2) If a staffing committee has not been established for the medical facility pursuant to [NRS 449.242](#) or an applicable collective bargaining agreement, employees of the medical

facility appointed by the operator of the medical facility. Such employees must include, without limitation, employees who work in all major areas of the medical facility.

(b) Develop and maintain a plan for the prevention of and response to workplace violence. The plan must:

- (1) Be in writing;
- (2) Be in effect at all times;
- (3) Be available to be viewed by each employee of the medical facility or other provider of care at the medical facility at all times;
- (4) Be specific for each unit, area and location maintained by the medical facility; and
- (5) Be developed in collaboration with the committee on workplace safety established pursuant to paragraph (a).

2. The plan developed pursuant to paragraph (b) of subsection 1 must include, without limitation:

(a) A requirement that all employees of the medical facility and other providers of care at the medical facility receive the training described in [NRS 618.7313](#) concerning the prevention of workplace violence:

- (1) Upon the adoption of a new plan for the prevention of workplace violence;
- (2) Upon commencing employment and annually thereafter;
- (3) Upon commencing new job duties in a new location of the medical facility or a new assignment in a new location of the medical facility; and
- (4) When a previously unrecognized hazard is identified or there is a material change in the facility requiring a change to the plan.

(b) Procedures that meet the requirements of [NRS 618.7314](#) for responding to and investigating incidents of workplace violence.

(c) Procedures that meet the requirements of the regulations adopted pursuant to [NRS 618.7317](#) for assessing and responding to situations that create the potential for workplace violence.

(d) Procedures for correcting hazards that increase the risk of workplace violence, including, without limitation, using engineering controls that are feasible and applicable to the medical facility and work practice controls to eliminate or minimize exposure of employees and other providers of care to such hazards.

(e) Procedures for obtaining assistance from security guards or public safety agencies when appropriate.

(f) Procedures for responding to incidents involving an active shooter and other threats of mass casualties through the use of plans for evacuation and sheltering that are feasible and appropriate for the medical facility.

(g) Procedures for annually assessing, in collaboration with the committee on workplace safety established pursuant to paragraph (a) of subsection 1, the effectiveness of the plan.

(Added to NRS by [2019, 3673](#))

NRS 618.7313 Requirements for training provided under plan relating to workplace violence; medical facility required to collaborate with committee on workplace violence.

1. The training provided under the plan developed pursuant to paragraph (b) of subsection 1 of [NRS 618.7312](#) must address the risks of workplace violence that an employee or other provider of care may be reasonably anticipated to encounter on his or her job and must include, without limitation, instruction concerning:

(a) An explanation of the plan, the manner in which the medical facility plans to address incidents of workplace violence, the manner in which an employee may participate in reviewing and revising the plan and any information necessary for employees and other

providers of care to perform the duties that may be required of each employee or other provider of care under the plan;

(b) Recognizing situations that may result in workplace violence;

(c) When and how to respond to and seek assistance in preventing or responding to workplace violence;

(d) Reporting incidents of workplace violence to the medical facility and public safety agencies when appropriate;

(e) Resources available to employees and other providers of care in coping with incidents of workplace violence, including, without limitation, debriefing processes established by the medical facility for use after an incident of workplace violence and available programs to assist employees and other providers of care in recovering from incidents of workplace violence; and

(f) For each employee or other provider of care who has contact with patients, training concerning verbal intervention and de-escalation techniques that:

(1) Allows the employee or other provider of care to practice those techniques with other employees and other providers of care with whom he or she works; and

(2) Includes a meeting to debrief each practice session conducted pursuant to subparagraph (1).

2. A medical facility shall collaborate with the committee on workplace safety established pursuant to paragraph (a) of subsection 1 of [NRS 618.7312](#) in developing, reviewing and revising the training provided under the plan developed pursuant to paragraph (b) of subsection 1 of [NRS 618.7312](#) and any curricula or materials used in that training.

(Added to NRS by [2019, 3674](#))

NRS 618.7314 Requirements for procedures included in plan relating to response and investigation of incidents of workplace violence. The procedures for responding to and investigating incidents of workplace violence included in the plan adopted pursuant to paragraph (b) of subsection 1 of [NRS 618.7312](#) must include, without limitation, procedures to:

1. Maintain and use alarms or other communications systems to allow employees and other providers of care to seek immediate assistance during an incident of workplace violence;

2. Ensure an effective response to each incident of workplace violence, including, without limitation, by ensuring that members of the staff of the medical facility are trained to address such incidents and designated to be available to immediately assist in the response to such an incident without interrupting patient care;

3. Provide timely medical care or first aid to employees or other providers of care who have been injured in an incident of workplace violence;

4. Identify each employee or other provider of care involved in an incident of workplace violence;

5. Offer counseling to each employee and other provider of care affected by an incident of workplace violence;

6. Offer the opportunity for each employee and other provider of care, including, without limitation, supervisors and security guards, involved in an incident of workplace violence to debrief as soon as possible after the incident at a time and place that is convenient for the employee or other provider of care;

7. Review any patient-specific risk factors and any measures specified to reduce those factors;

8. Review the implementation and effectiveness of corrective measures taken under the plan; and

9. Solicit the feedback of each employee or other provider of care involved in an incident of workplace violence concerning the precipitating factors of the incident and any measures that may have assisted in preventing the incident.

(Added to NRS by [2019,3674](#))

NRS 618.7315 Duties of medical facility.

1. A medical facility shall:

(a) Ensure that the plan developed pursuant to paragraph (b) of subsection 1 of [NRS 618.7312](#) is effectively implemented at all times and in all units, areas and locations of the medical facility.

(b) Coordinate risk assessment and development and implementation of the plan developed pursuant to paragraph (b) of subsection 1 of [NRS 618.7312](#) with employees who provide care in the medical facility.

(c) Implement engineering controls, work practice controls and other appropriate measures, as applicable, to prevent and mitigate the risk of workplace violence in all units, areas and locations of the facility. Such controls must meet the requirements prescribed in the regulations adopted pursuant to [NRS 618.7317](#).

2. A medical facility shall:

(a) Encourage employees and other providers of care to report incidents of workplace violence and concerns about workplace violence and seek the assistance of a public safety agency in accordance with the plan developed pursuant to paragraph (b) of subsection 1 of [NRS 618.7312](#) to respond to an incident of workplace violence; and

(b) Report to the Division any incident of workplace violence that:

(1) Involves the use of physical force against an employee or other provider of care by a patient or a person accompanying a patient;

(2) Involves the use of a firearm or other dangerous weapon; or

(3) Presents a realistic possibility of death or serious physical harm to an employee or other provider of care.

3. A medical facility shall not prohibit an employee or other provider of care from reporting incidents of workplace violence or concerns about workplace violence or seeking the assistance of a public safety agency to respond to an incident of workplace violence in accordance with the plan developed pursuant to paragraph (b) of subsection 1 of [NRS 618.7312](#).

(Added to NRS by [2019,3675](#))

NRS 618.7316 Records related to workplace violence: Duty of medical facility to maintain and make available to Division; prohibitions on certain content, maintenance and disclosure.

1. A medical facility shall maintain and make available to the Division upon request records related to incidents of workplace violence and actions taken in compliance with [NRS 618.7312](#) to [618.7317](#), inclusive, and the regulations adopted pursuant thereto. Such records must include, without limitation:

(a) Records of the identification, evaluation and correction of hazards that increase the risk of workplace violence.

(b) A record of workplace violence which meets the requirements prescribed by the regulations adopted pursuant to [NRS 618.7317](#).

(c) A record of each training session provided under the plan developed pursuant to paragraph (b) of subsection 1 of [NRS 618.7312](#).

(d) A record of each report to the Division pursuant to paragraph (b) of subsection 2 of [NRS 618.7315](#).

(e) Any additional information required by regulation of the Division.

2. Records maintained pursuant to [NRS 618.7312](#) to [618.7317](#), inclusive, and the regulations adopted pursuant thereto must not include the personally identifiable information of any patient, employee of the medical facility or other provider of care at the medical facility. Such records must not be maintained or disclosed in a manner that violates [NRS 449A.112](#) or the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, and any regulations adopted pursuant thereto.

(Added to NRS by [2019, 3676](#))

NRS 618.7317 Regulations.

1. The Division shall, in consultation with the Health Care Purchasing and Compliance Division of the Nevada Health Authority, define by regulation the term “unit” for the purposes of [NRS 618.7301](#) to [618.7318](#), inclusive.

2. In addition to the regulations adopted pursuant to subsection 1, the Division shall adopt regulations that:

(a) Prescribe minimum requirements for the procedures for assessing and responding to situations that create the potential for workplace violence included in the plan adopted pursuant to paragraph (b) of subsection 1 of [NRS 618.7312](#).

(b) Prescribe minimum requirements for the engineering controls, work practice controls and other appropriate measures to prevent and mitigate the risk of workplace violence carried out pursuant to [NRS 618.7315](#).

(c) Prescribe the required contents of a record of workplace violence maintained pursuant to [NRS 618.7316](#).

(Added to NRS by [2019, 3676](#); A [2025, 3732](#))

NRS 618.7318 Medical facility to submit annual summary of workplace injuries and illnesses; Division to make available certain summaries and reports.

1. A medical facility shall submit to the Division the most current annual summary of workplace injuries and illnesses compiled pursuant to 29 C.F.R. § 1904.32.

2. The Division shall make available on an Internet website maintained by the Division a copy of the most recent:

(a) Annual summary submitted by each medical facility in this State pursuant to subsection 1;

(b) Reports prepared by the Health Care Purchasing and Compliance Division of the Nevada Health Authority pursuant to [NRS 439.840](#) and [439.845](#); and

(c) Sentinel Event Data Summary published by The Joint Commission or its successor organization or, if that summary ceases to be published, a similar report selected by the Division.

(Added to NRS by [2019, 3676](#); A [2025, 3732](#))

CERTAIN OCCUPATIONS

Control of Asbestos

NRS 618.750 Definitions. As used in [NRS 618.750](#) to [618.850](#), inclusive, unless the context otherwise requires:

1. “Asbestos” means asbestiform varieties of:

(a) Chrysotile (serpentine);

(b) Crocidolite (riebeckite);

(c) Amosite (cummingtonite-grunerite);

- (d) Anthophyllite;
- (e) Tremolite; or
- (f) Actinolite.

2. “Control of asbestos” means:

(a) The encapsulation, enclosure or removal of asbestos or material containing asbestos from a building or structure, including any associated mechanical systems, whether inside or outside the building or structure;

(b) The abatement of the danger posed to human beings by the presence of asbestos or material containing asbestos in a building or structure, including any associated mechanical systems, whether inside or outside the building or structure;

(c) The repair, renovation or demolition of a building or structure containing asbestos or materials containing asbestos; or

(d) Any activity connected with that encapsulation, enclosure, removal, abatement, repair, renovation or demolition.

3. “Occupation” means a specific discipline involved in a project for the control of asbestos, including those tasks performed respectively by an inspector, management planner, consultant, project designer, contractor, supervisor or worker engaged in the control of asbestos.

4. “Worker” means any person actually engaged in work directly related to asbestos on a project for the control of asbestos who is not required to be licensed in any other occupation.

(Added to NRS by [1989, 1275](#); A [1997, 2106](#); [2013, 2744](#))

NRS 618.755 Scope. [NRS 618.750](#) to [618.850](#), inclusive, does not apply to:

1. The control of asbestos by a person in his or her own residence.

2. A person employed by a public utility which supplies electricity when performing emergency activities which include, but are not limited to:

(a) The removal of insulation containing asbestos on pipes;

(b) The removal of small quantities of insulation containing asbestos on beams or above ceilings;

(c) The replacement of a gasket containing asbestos on a valve;

(d) The installation or removal of a small section of drywall; and

(e) The installation of electrical conduits running through or proximate to materials containing asbestos,

↪ if the person is trained by and works under the direction of a person who is capable of identifying existing hazards in a workplace which are related to asbestos, tremolite, anthophyllite or actinolite, and is authorized to take prompt corrective measures to eliminate them as set forth in 29 C.F.R. § 1926.32(f) on June 28, 1989.

(Added to NRS by [1989, 1276](#); A [2013, 2744](#))

NRS 618.760 Regulations of Division: Generally. The Division may adopt such regulations as are necessary to carry out the provisions of [NRS 618.750](#) to [618.850](#), inclusive.

(Added to NRS by [1989, 1280](#); A [1993, 1886](#))

NRS 618.765 Regulations of Division: Standards and procedures.

1. Not later than 60 days after June 28, 1989, the Division shall adopt regulations establishing standards and procedures for the licensure of each occupation which are at least as stringent as those contained in the Model Contractor Accreditation Plan for States set out in Appendix C of Subpart E of Part 763 of Title 40 of the Code of Federal Regulations, as it existed on January 1, 1989. The regulations must include standards for:

(a) Courses which provide initial training;

- (b) Courses which provide a review of the initial training;
- (c) Examinations;
- (d) Qualifications;
- (e) Renewal of licensure; and
- (f) Revocation of licensure.

2. After consultation with the Division of Public and Behavioral Health of the Department of Human Services, the Division of Environmental Protection of the State Department of Conservation and Natural Resources and the county air pollution control agencies designated pursuant to [NRS 445B.500](#), the Division shall adopt standards for:

- (a) Projects for the control of asbestos;
- (b) Specifying the amount of asbestos within a material which must be present to qualify the material as a “material containing asbestos” for the purposes of [NRS 618.750](#) to [618.850](#), inclusive;
- (c) Laboratories which analyze building materials for the presence of asbestos;
- (d) Laboratories which collect or analyze air samples for those projects; and
- (e) The assessment of the exposure of occupants of a building at the completion of a project for the control of asbestos.

3. The Division shall by regulation adopt a standard for the assessment of the exposure of the occupants of a building to airborne asbestos. The standard:

- (a) Must be set according to a time-weighted average concentration of asbestos fibers in the air, measured under normal occupancy conditions; and
- (b) Must be at least as stringent as the corresponding federal standard, if one has been adopted.

4. The standard adopted pursuant to subsection 3 may be used:

- (a) To assess the need to respond to the presence of asbestos in a building; or
- (b) To determine which buildings or structures are most in need of such response.

➔ The standard does not require the monitoring of the air of any building or structure, or create a duty for the Division to inspect any building or structure, except in connection with the enforcement of this chapter.

(Added to NRS by [1989, 1276](#); A [1993, 1886](#))

NRS 618.770 Assessments and fees: Establishment; collection; use.

1. The costs of carrying out the provisions of [NRS 618.750](#) to [618.850](#), inclusive, must be paid from assessments payable by each insurer based upon expected annual expenditures for claims. The Division shall adopt regulations which establish formulas of assessment which result in an equitable distribution of costs among the insurers.

2. In addition, the Division shall by regulation establish a schedule of fees designed to recover revenue to defray the costs of carrying out the provisions of [NRS 618.750](#) to [618.850](#), inclusive. The Division may collect fees for applications, the issuance and renewal of licenses, examinations, the review and approval of training courses, job notifications and inspections, recordkeeping, and any other activity of the Division related to the provisions of [NRS 618.750](#) to [618.850](#), inclusive. The fee for the issuance or renewal of a license must not exceed \$200.

3. Any fees collected pursuant to this section must be used to offset the assessments established pursuant to subsection 1.

4. As used in this section, “insurer” has the meaning ascribed to it in [NRS 232.550](#).

(Added to NRS by [1989, 1278](#); A [1993, 1887](#))

NRS 618.775 Regulations of State Environmental Commission. The State Environmental Commission shall adopt regulations for the disposal of asbestos and material

containing asbestos.

(Added to NRS by [1989, 1280](#))

NRS 618.780 Disposal of asbestos and material containing asbestos. All asbestos and material containing asbestos removed from a building during a project to control asbestos must be disposed of in accordance with the regulations adopted by the State Environmental Commission for the disposal of asbestos and material containing asbestos.

(Added to NRS by [1989, 1280](#))

NRS 618.785 Provisions and standards not to be used as evidence to deny liability or claim for compensation for exposure to asbestos. Nothing in [NRS 618.750](#) to [618.850](#), inclusive, including standards adopted pursuant thereto, may be used as evidence:

1. To deny liability in an action seeking damages for disease as a result of exposure to asbestos in a building or structure; or
2. To deny a claim for compensation pursuant to [chapters 616A](#) to [616D](#), inclusive, or [617](#) of NRS relating to exposure to asbestos.

(Added to NRS by [1989, 1277](#))

NRS 618.790 License required. A person shall not engage in a project for the control of asbestos unless the person holds a valid license issued by the Division.

(Added to NRS by [1989, 1277](#); A [1993, 1887](#))

NRS 618.795 Issuance of licenses by Division.

1. The Division shall issue licenses to qualified applicants in each occupation.
2. The Division may adopt regulations to include within the definition of “occupation” any discipline deemed necessary, including that of instructor in the control of asbestos.

(Added to NRS by [1989, 1277](#); A [1993, 1887](#))

NRS 618.800 Application for license: Requirements and procedures. A person applying for a license in an occupation must:

1. Submit an application on a form prescribed and furnished by the Division, accompanied by a fee prescribed by the Division;
2. Successfully complete a course of training in the control of asbestos approved or administered by the Division for that occupation;
3. Pass an examination approved or administered by the Division for that occupation;
4. If the person is a contractor, present proof satisfactory to the Division that the person is insured to the extent determined necessary by the Administrator for the appropriate activities for the control of asbestos permitted under the requested license, for the effective period of the license; and
5. Meet any additional requirement established by the Division.

(Added to NRS by [1989, 1277](#); A [1993, 1887](#))

NRS 618.801 Application for license: Statement by applicant regarding child support; grounds for denial of license; duty of Division. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An applicant for the issuance or renewal of a license in an occupation shall submit to the Division the statement prescribed by the Division of Social Services of the Department of Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Division shall include the statement required pursuant to subsection 1 in:
 - (a) The application or any other forms that must be submitted for the issuance or renewal of the license; or
 - (b) A separate form prescribed by the Division.
3. A license in an occupation may not be issued or renewed by the Division if the applicant:
 - (a) Fails to submit the statement required pursuant to subsection 1; or
 - (b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.
4. If an applicant indicates on the statement submitted pursuant to subsection 1 that he or she is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Division shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by [1997, 2105](#))

NRS 618.802 Application for license: Inclusion of social security number of applicant. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] An application for the issuance of a license in an occupation must include the social security number of the applicant.

(Added to NRS by [1997, 2106](#))

NRS 618.805 Renewal of license; continuing education or training. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. To renew a license, a person must, on or before January 1 of each year:
 - (a) Apply to the Division for renewal;
 - (b) Submit the statement required pursuant to [NRS 618.801](#);
 - (c) Pay the annual fee for renewal set by the Division; and
 - (d) Submit evidence satisfactory to the Division of the person's completion of the requirements for continuing education or training established by the Division, if any.
2. The Division may adopt regulations requiring continuing education or training of the licensees in any occupation and, as a prerequisite to the renewal or restoration of a license, require each licensee to comply with those requirements.

(Added to NRS by [1989, 1278](#); A [1993, 1888](#); [1997, 2107](#))

NRS 618.805 Renewal of license; continuing education or training. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. To renew a license a person must, on or before January 1 of each year:
 - (a) Apply to the Division for renewal;

- (b) Pay the annual fee for renewal set by the Division; and
- (c) Submit evidence satisfactory to the Division of the person's completion of the requirements for continuing education or training established by the Division, if any.

2. The Division may adopt regulations requiring continuing education or training of the licensees in any occupation and, as a prerequisite to the renewal or restoration of a license, require each licensee to comply with those requirements.

(Added to NRS by [1989, 1278](#); A [1993, 1888](#); [1997, 2107](#), effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

NRS 618.807 Renewal of license: Additional requirements.

1. In addition to any other requirements set forth in this chapter, an applicant for the renewal of a license in an occupation must indicate in the application submitted to the Division whether the applicant has a state business license. If the applicant has a state business license, the applicant must include in the application the business identification number assigned by the Secretary of State upon compliance with the provisions of [chapter 76](#) of NRS.

2. A license in an occupation may not be renewed by the Division if:

(a) The applicant fails to submit the information required by subsection 1; or

(b) The State Controller has informed the Division pursuant to subsection 5 of [NRS 353C.1965](#) that the applicant owes a debt to an agency that has been assigned to the State Controller for collection and the applicant has not:

(1) Satisfied the debt;

(2) Entered into an agreement for the payment of the debt pursuant to [NRS 353C.130](#);

or

(3) Demonstrated that the debt is not valid.

3. As used in this section:

(a) "Agency" has the meaning ascribed to it in [NRS 353C.020](#).

(b) "Debt" has the meaning ascribed to it in [NRS 353C.040](#).

(Added to NRS by [2013, 2742](#))

NRS 618.810 Issuance of license as contractor on basis of status as qualified employee prohibited. The Division shall not issue a license as a contractor for projects for the control of asbestos on the basis of a person's status under [chapter 624](#) of NRS as a qualified employee.

(Added to NRS by [1989, 1278](#); A [1993, 1888](#))

NRS 618.815 Issuance of license to applicant who holds license issued by another state. The Division may issue a license in an occupation to an applicant who holds a valid license in that occupation issued to him or her by the District of Columbia or any state or territory of the United States, or who has met the requirements for that occupation set by the Environmental Protection Agency pursuant to the Asbestos Hazard Emergency Response Act, if:

1. The legal requirements of that district, state or territory for licensure in that occupation were, at the time of issuance of the license, at least equivalent to those of this State.

2. The applicant passes an examination, if required by the Board.

3. The applicant furnishes to the Board such other proof of the applicant's qualifications as the Board requires.

(Added to NRS by [1989, 1278](#); A [1993, 1888](#))

NRS 618.820 Duties of person licensed as contractor. A person licensed as a contractor for projects for the control of asbestos shall:

1. If a laboratory is used for any aspect of collecting or analyzing air samples for a project, use only a laboratory which meets the standards adopted by the Division.
2. If a commercial laboratory is used for any aspect of collecting or analyzing air samples for a project, use only a laboratory in which the contractor or owner of the building or structure has no financial interest, unless the Division by regulation provides otherwise.
3. Comply with the standards adopted by the Division for projects.
4. Unless specifically exempted by the Division, refrain from providing any of the services of an inspector, management planner, consultant or project designer on a project.

(Added to NRS by [1989, 1279](#); A [1993, 1888](#))

NRS 618.825 Employment of unlicensed person by licensed contractor prohibited. A person licensed as a contractor for projects for the control of asbestos shall not employ to engage in activities directly related to asbestos on his or her projects a person who is not licensed pursuant to [NRS 618.795](#).

(Added to NRS by [1989, 1279](#))

NRS 618.830 Inspection of projects. The Division or a person authorized by the Division shall inspect annually at least one project for the control of asbestos conducted by each contractor licensed pursuant to [NRS 618.795](#). The contractor shall, upon request of the Division or a person authorized by the Division, allow the inspection of all property, activities and facilities at the project and all related documents and records.

(Added to NRS by [1989, 1280](#); A [1993, 1889](#))

NRS 618.833 Suspension of license for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Division receives a copy of a court order issued pursuant to [NRS 425.540](#) that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license in an occupation, the Division shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Division receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to [NRS 425.550](#) stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

2. The Division shall reinstate a license in an occupation that has been suspended by a district court pursuant to [NRS 425.540](#) if the Division receives a letter issued by the district attorney or other public agency pursuant to [NRS 425.550](#) to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

(Added to NRS by [1997, 2106](#))

NRS 618.835 Disciplinary action; owner of building not liable for employment of another contractor after revocation of license of original contractor.

1. If the Division finds that a person, other than a worker, has violated any of the provisions of [NRS 618.780](#), [618.790](#), [618.820](#) or [618.825](#), or the standards or regulations adopted pursuant to [NRS 618.750](#) to [618.850](#), inclusive, it may:

(a) Upon the first violation, impose upon the person an administrative fine of not more than \$15,000.

(b) Upon the second and subsequent violations:

(1) Impose upon the person an administrative fine of not more than \$25,000; and

(2) If the person is licensed pursuant to [NRS 618.795](#), revoke his or her license and require the person to fulfill certain training or educational requirements to have the license reinstated.

➡ Any penalty imposed pursuant to this section does not relieve the person from criminal prosecution for engaging in the control of asbestos without a license, nor from the imposition of a penalty pursuant to [NRS 445B.640](#).

2. If the license of a contractor for projects for the control of asbestos is revoked pursuant to this section and the owner of a building or structure upon which the contractor is engaged in a project employs another licensed contractor to complete the project, the original contractor may not bring an action against the owner of the building or structure for breach of contract or damages based on the employment of another contractor.

(Added to NRS by [1989, 1279](#); A [1993, 1889](#); [1995, 1645](#); [2013, 2744](#))

NRS 618.840 Notice of intent to revoke license; summary suspension; hearing.

1. Except as otherwise provided in subsection 2, if the Division intends to revoke a person's license, it shall first notify the person by certified mail. The notice must contain a statement of the Division's legal authority, jurisdiction and reasons for the proposed action.

2. If the Division finds that protection of the public health requires immediate action, it may order a summary suspension of a license pending proceedings for revocation.

3. A person is entitled to a hearing to contest the summary suspension or proposed revocation of the person's license. A request for such a hearing must be made pursuant to regulations adopted by the Division.

4. Upon receiving a request for a hearing to contest a summary suspension, the Division shall hold a hearing within 10 days after the date of the receipt of the request.

(Added to NRS by [1989, 1279](#); A [1993, 1889](#))

NRS 618.845 Injunctive relief. The Division may maintain in any court of competent jurisdiction a suit for an injunction against any person engaged in the control of asbestos in violation of the provisions of [NRS 618.780](#), [618.790](#), [618.820](#) or [618.825](#), or the standards or regulations adopted by the Division pursuant to [NRS 618.750](#) to [618.850](#), inclusive. An injunction:

1. May be issued without proof of actual damage sustained by any person, this provision being a preventive as well as a punitive measure.

2. Does not relieve the person from criminal liability for engaging in the control of asbestos without a license.

(Added to NRS by [1989, 1280](#); A [1993, 1889](#))

NRS 618.850 Penalty for acting without license. Any person who engages in the control of asbestos without a license issued by the Division is guilty of a misdemeanor.

(Added to NRS by [1989, 1280](#); A [1993, 1890](#))

Operation of Cranes

NRS 618.880 Establishment of safety plans and procedures; certification of cranes; certification of operators of tower cranes and mobile cranes; exceptions. [Effective until the date on which the Governor declares that the Federal Government has adopted provisions governing the certification of crane operators.]

1. The Division shall adopt regulations establishing standards and procedures for the operation of cranes, including, without limitation, regulations requiring the:

(a) Establishment and implementation of site safety plans and procedures for the erection and dismantling of tower cranes;

(b) Establishment of a clear zone around the erection, dismantling or other highly hazardous lifts with a crane;

(c) Annual certification of the mechanical lifting parts of the crane; and

(d) Certification of tower cranes each time a tower crane is erected and additional annual certifications of tower cranes while they continue to be in use.

2. Except as otherwise provided in subsection 3:

(a) The Division shall adopt regulations requiring the establishment and implementation of programs for the certification of all persons who operate:

(1) Tower cranes; or

(2) Mobile cranes having a usable boom length of 25 feet or greater or a maximum machine rated capacity of 15,000 pounds or greater.

(b) A person shall not operate a tower crane or a mobile crane described in subparagraph (2) of paragraph (a) unless the person holds certification as a crane operator issued pursuant to this subsection for the type of crane being operated.

(c) An applicant for certification as a crane operator must hold a certificate which:

(1) Is issued by an organization whose program of certification for crane operators:

(I) Is accredited by the National Commission for Certifying Agencies or an equivalent accrediting body approved by the Division; or

(II) Meets other criteria established by the Division; and

(2) Certifies that the person has met the standards to be a crane operator established by the American Society of Mechanical Engineers in its standards B30.3, B30.4 or B30.5 as adopted by regulation of the Division.

3. The provisions of subsection 2 do not apply to a person who:

(a) Is an employee of a utility while the person is engaged in work for or at the direction of the utility;

(b) Operates an electric or utility line truck that is regulated pursuant to 29 C.F.R. § 1910.269 or 29 C.F.R. Part 1926, Subpart V; or

(c) Operates an aerial or lifting device, whether or not self-propelled, that is designed and manufactured with the specific purpose of lifting one or more persons in a bucket or basket or on a ladder or platform and holding those persons in the lifted position while they perform tasks. Such devices include, without limitation:

(1) A bucket truck or lift;

(2) An aerial platform;

(3) A platform lift; or

(4) A scissors lift.

4. As used in this section, "utility" means any public or private utility, whether or not the utility is subject to regulation by the Public Utilities Commission of Nevada, that provides, at wholesale or retail:

(a) Electric service;

(b) Gas service;

(c) Water or sewer service;

(d) Telecommunication service, including, without limitation, local exchange service, long distance service and personal wireless service; or

(e) Television service, including, without limitation, community antenna television, cable television and other video service.

(Added to NRS by [1995, 1889](#); A [2005, 933](#); [2007, 1400](#); [2009, 977](#))

NRS 618.880 Establishment of safety plans and procedures; certification of cranes; certification of operators of tower cranes and mobile cranes; expiration and renewal of certifications of crane operators; exceptions. [Effective on the date on which the Governor declares that the Federal Government has adopted provisions governing the certification of crane operators.]

1. The Division shall adopt regulations establishing standards and procedures for the operation of cranes, including, without limitation, regulations requiring the:

(a) Establishment and implementation of site safety plans and procedures for the erection and dismantling of tower cranes;

(b) Establishment of a clear zone around the erection, dismantling or other highly hazardous lifts with a crane;

(c) Annual certification of the mechanical lifting parts of the crane; and

(d) Certification of tower cranes each time a tower crane is erected and additional annual certifications of tower cranes while they continue to be in use.

2. Except as otherwise provided in subsection 3:

(a) The Division shall adopt regulations requiring the establishment and implementation of programs for the certification of all persons who operate:

(1) Tower cranes; or

(2) Mobile cranes having a usable boom length of 25 feet or greater or a maximum machine rated capacity of 15,000 pounds or greater.

(b) A person shall not operate a tower crane or a mobile crane described in subparagraph (2) of paragraph (a) unless the person holds certification as a crane operator issued pursuant to this subsection for the type of crane being operated.

(c) An applicant for certification as a crane operator must hold a certificate which:

(1) Is issued by an organization whose program of certification for crane operators:

(I) Is accredited by the National Commission for Certifying Agencies or an equivalent accrediting body approved by the Division; and

(II) Meets other criteria as may be established by the Division;

(2) Certifies that the person has met the standards to be a crane operator established by ASME International, in its standards B30.3, B30.4 or B30.5 as adopted by regulation of the Division;

(3) Requires a minimum of 1,000 hours of crane-related experience or training during the 5-year period immediately preceding the issuance of a mobile crane operator certification;

(4) Requires a minimum of 1,000 hours of crane-related experience or training, of which a minimum of 500 hours is specific to tower crane operation, during the 5-year period immediately preceding the issuance of a tower crane operator certification; and

(5) Does not require an examination during which the applicant must operate a crane if the applicant:

(I) Is seeking recertification for the type of crane for which the applicant currently holds a valid certification; and

(II) Has 1,000 hours of experience operating the type of crane for which the applicant is seeking certification during the 5-year period immediately preceding the issuance of the applicant's recertification.

(d) The organization that issues a certification pursuant to this subsection is responsible for the verification of hours of experience or training required by this subsection.

3. The provisions of subsection 2 do not apply to a person who:
- (a) Is an employee of a utility while the person is engaged in work for or at the direction of the utility;
 - (b) Operates an electric or utility line truck that is regulated pursuant to 29 C.F.R. § 1910.269 or 29 C.F.R. Part 1926, Subpart V;
 - (c) Operates an aerial or lifting device, whether or not self-propelled, that is designed and manufactured with the specific purpose of lifting one or more persons in a bucket or basket or on a ladder or platform and holding those persons in the lifted position while they perform tasks. Such devices include, without limitation:
 - (1) A bucket truck or lift;
 - (2) An aerial platform;
 - (3) A platform lift; or
 - (4) A scissors lift; or
 - (d) Operates a crane as a trainee under the direct supervision of an operator who has a valid certification in accordance with subsection 2 for the type of crane being operated by the trainee. As used in this paragraph, “direct supervision” means that the person who is supervising the trainee:
 - (1) Is in the immediate area of the trainee;
 - (2) Can see the trainee;
 - (3) Is able to communicate effectively with the trainee; and
 - (4) Has no duties other than to observe the operation of the crane by the trainee.
4. A certification used to satisfy the requirements of this section for a crane operator expires 5 years after the date that it is issued and may be renewed by providing proof deemed acceptable by the Division that the crane operator has fulfilled the requirements of subsection 2.
5. As used in this section, “utility” means any public or private utility, whether or not the utility is subject to regulation by the Public Utilities Commission of Nevada, that provides, at wholesale or retail:
- (a) Electric service;
 - (b) Gas service;
 - (c) Water or sewer service;
 - (d) Telecommunication service, including, without limitation, local exchange service, long distance service and personal wireless service; or
 - (e) Television service, including, without limitation, community antenna television, cable television and other video service.

(Added to NRS by [1995, 1889](#); A [2005, 933](#); [2007, 1400](#); [2009, 977](#), effective on the date on which the Governor declares that the Federal Government has adopted provisions governing the certification of crane operators)

NRS 618.882 Application for certification as crane operator: Statement by applicant regarding child support; grounds for denial of certification; duty of Division. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An applicant for the issuance or renewal of certification as a crane operator pursuant to [NRS 618.880](#) shall submit with his or her application the statement prescribed by the Division of Social Services of the Department of Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Division shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the certification; or

(b) A separate form prescribed by the Division.

3. Certification as a crane operator may not be issued or renewed pursuant to [NRS 618.880](#) if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that he or she is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the person to whom the application was submitted shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by [1997, 2104](#))

NRS 618.884 Application for certification as crane operator: Inclusion of social security number of applicant. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] An application for the issuance of certification as a crane operator pursuant to [NRS 618.880](#) must include the social security number of the applicant.

(Added to NRS by [1997, 2105](#))

NRS 618.885 Renewal of certification as crane operator; additional requirements.

1. In addition to any other requirements set forth in this chapter, an applicant for the renewal of certification as a crane operator pursuant to [NRS 618.880](#) must indicate in the application submitted to the Division whether the applicant has a state business license. If the applicant has a state business license, the applicant must include in the application the business identification number assigned by the Secretary of State upon compliance with the provisions of [chapter 76](#) of NRS.

2. A certification as a crane operator issued pursuant to [NRS 618.880](#) may not be renewed by the Division if:

(a) The applicant fails to submit the information required by subsection 1; or

(b) The State Controller has informed the Division pursuant to subsection 5 of [NRS 353C.1965](#) that the applicant owes a debt to an agency that has been assigned to the State Controller for collection and the applicant has not:

(1) Satisfied the debt;

(2) Entered into an agreement for the payment of the debt pursuant to [NRS 353C.130](#);

or

(3) Demonstrated that the debt is not valid.

3. As used in this section:

(a) “Agency” has the meaning ascribed to it in [NRS 353C.020](#).

(b) “Debt” has the meaning ascribed to it in [NRS 353C.040](#).

(Added to NRS by [2013, 2742](#))

NRS 618.886 Suspension of certification as crane operator for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of certification. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Division receives a copy of a court order issued pursuant to [NRS 425.540](#) that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who has been certified as a crane operator pursuant to [NRS 618.880](#), the Division shall deem the certification issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Division receives a letter issued by the district attorney or other public agency pursuant to [NRS 425.550](#) to the person who has been issued the certification stating that the person has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

2. The Division shall reinstate a certification as a crane operator issued pursuant to [NRS 618.880](#) that has been suspended by a district court pursuant to [NRS 425.540](#) if the Division receives a letter issued by the district attorney or other public agency pursuant to [NRS 425.550](#) to the person whose certification was suspended stating that the person whose certification was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

(Added to NRS by [1997, 2105](#))

Manufacture and Use of Explosives

NRS 618.890 Regulations establishing safety plans and procedures; training and testing program for employees; exception.

1. The Division shall adopt regulations establishing standards and procedures for places of employment where explosives are manufactured, or where an explosive is used, processed, handled, moved on-site or stored in relation to its manufacture, including, without limitation, regulations requiring the:

- (a) Establishment and implementation of safety plans and procedures;
- (b) Establishment of safety zones at or around such places of employment;
- (c) Annual certification of such places of employment;

(d) Annual certification of trainers, production managers, supervisors and other persons designated by an employer to provide an annual training and testing program for employees; and

(e) Establishment and implementation of programs for the annual training and testing of employees who are engaged in the manufacture of an explosive, or the use, processing, handling, on-site movement or storage of an explosive that is related to its manufacture, that will be conducted by a trainer, production manager, supervisor or any other person certified pursuant to paragraph (d).

2. If the standards and procedures adopted pursuant to this section conflict with any ordinances of a local governing body regulating explosives, the more stringent standard applies.

3. Except as otherwise provided in subsection 2, compliance with an ordinance of a local governing body regulating explosives does not excuse any person from complying with the standards and procedures adopted by the Division pursuant to this section.

4. Each employer engaged in the manufacture of explosives shall provide to each of his or her employees, who in the course of their employment are directly involved in the manufacture of explosives, or the handling of an explosive or any hazardous component thereof, an annual training and testing program that has been approved by the Division in

accordance with subsection 1. The annual training must be conducted by a trainer, production manager, supervisor or other person certified by the Division to provide such training. An employer shall not allow an employee to engage in employment that requires the employee to be directly involved in the manufacture of explosives, or the handling of an explosive or any hazardous component thereof, until the employee has completed the applicable training and testing program required pursuant to this subsection. Any violation of this subsection by an employer constitutes a serious violation which is subject to the provisions of [NRS 618.645](#).

5. Notwithstanding any provision of this section to the contrary, the provisions of this section do not apply to the mining industry.

6. Except as otherwise provided in subsection 7, as used in this section, “explosive” means gunpowders, powders used for blasting, all forms of high explosives, blasting materials, fuses other than electric circuit breakers, detonators and other detonating agents, smokeless powders, other explosive or incendiary devices and any chemical compound, mechanical mixture or device that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities or packing that ignition by fire, friction, concussion, percussion, or detonation of the compound, mixture or device or any part thereof may cause an explosion.

7. For the purposes of this section, an explosive does not include:

(a) Ammunition for small arms, or any component thereof;

(b) Black powder commercially manufactured in quantities that do not exceed 50 pounds, percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, and friction primers that are intended to be used solely for sporting, recreation or cultural purposes:

(1) In an antique firearm, as that term is defined in 18 U.S.C. § 921(a)(16), as that section existed on January 1, 1999; or

(2) In an antique device which is exempted from the definition of “destructive device” pursuant to 18 U.S.C. § 921(a)(4), as that section existed on January 1, 1999; or

(c) Any explosive that is manufactured under the regulation of a military department of the United States, or that is distributed to, or possessed or stored by, the military or naval service or any other agency of the United States, or an arsenal, a navy yard, a depot or any other establishment owned by or operated on behalf of the United States.

(Added to NRS by [1999, 1853](#))

NRS 618.892 Application for certification as trainer, production manager, supervisor or other person to provide training and testing of employees: Statement by applicant regarding child support; grounds for denial of certification; duty of Division. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An applicant for the issuance or renewal of certification as a trainer, production manager, supervisor or other person designated by an employer to provide annual training and testing programs to employees pursuant to [NRS 618.890](#) shall submit with his or her application the statement prescribed by the Division of Social Services of the Department of Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Division shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the certification; or

(b) A separate form prescribed by the Division.

3. Certification as a trainer, production manager, supervisor or other person designated by an employer to provide annual training and testing programs to employees pursuant to [NRS 618.890](#) may not be issued or renewed pursuant to [NRS 618.890](#) if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that he or she is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the person to whom the application was submitted shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by [1999, 1855](#))

NRS 618.894 Application for certification as trainer, production manager, supervisor or other person to provide training and testing of employees: Inclusion of social security number of applicant. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] An application for the issuance of certification as a trainer, production manager, supervisor or other person designated by an employer to provide annual training and testing programs to employees pursuant to [NRS 618.890](#) must include the social security number of the applicant.

(Added to NRS by [1999, 1855](#))

NRS 618.895 Renewal of certification as trainer, production manager, supervisor or other person to provide training and testing of employees; additional requirements.

1. In addition to any other requirements set forth in this chapter, an applicant for the renewal of certification as a trainer, production manager, supervisor or other person designated by an employer to provide annual training and testing programs to employees pursuant to [NRS 618.890](#) must indicate in the application submitted to the Division whether the applicant has a state business license. If the applicant has a state business license, the applicant must include in the application the business identification number assigned by the Secretary of State upon compliance with the provisions of [chapter 76](#) of NRS.

2. Certification as a trainer, production manager, supervisor or other person designated by an employer to provide annual training and testing programs to employees issued pursuant to [NRS 618.890](#) may not be renewed by the Division if:

(a) The applicant fails to submit the information required by subsection 1; or

(b) The State Controller has informed the Division pursuant to subsection 5 of [NRS 353C.1965](#) that the applicant owes a debt to an agency that has been assigned to the State Controller for collection and the applicant has not:

(1) Satisfied the debt;

(2) Entered into an agreement for the payment of the debt pursuant to [NRS 353C.130](#);

or

(3) Demonstrated that the debt is not valid.

3. As used in this section:

(a) "Agency" has the meaning ascribed to it in [NRS 353C.020](#).

(b) "Debt" has the meaning ascribed to it in [NRS 353C.040](#).

(Added to NRS by [2013, 2743](#))

NRS 618.896 Suspension of certification as trainer, production manager, supervisor or other person to provide training and testing of employees for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of certification. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Division receives a copy of a court order issued pursuant to [NRS 425.540](#) that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who has been certified as a trainer, production manager, supervisor or other person designated by an employer to provide annual training and testing programs to employees pursuant to [NRS 618.890](#), the Division shall deem the certification issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Division receives a letter issued by the district attorney or other public agency pursuant to [NRS 425.550](#) to the person who has been issued the certification stating that the person has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

2. The Division shall reinstate the certification of a trainer, production manager, supervisor or other person designated by an employer to provide annual training and testing programs to employees pursuant to [NRS 618.890](#) that has been suspended by a district court pursuant to [NRS 425.540](#) if the Division receives a letter issued by the district attorney or other public agency pursuant to [NRS 425.550](#) to the person whose certification was suspended stating that the person whose certification was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

(Added to NRS by [1999, 1855](#))

NRS 618.898 Permit for construction or alteration of major process used to protect lives, safety and health of employees: Application; standards for issuance; fee; regulations; exception.

1. No owner or operator of a place of employment may commence the construction of, substantially alter the construction of, or modify any major process used to protect the lives, safety and health of employees at a place of employment where an explosive is manufactured, or used, processed, handled, moved on-site or stored in relation to its manufacture, unless the owner or operator, as applicable, first obtains a permit therefor from the Division. Before issuing any permit, the Division shall consult with the Division of Environmental Protection of the State Department of Conservation and Natural Resources.

2. An application for such a permit must be submitted on a form prescribed by the Division.

3. The Division may require the applicant to comply with requirements that it establishes by regulation before issuing such a permit.

4. The Division may charge and collect a fee for the issuance of such a permit.

5. The Division shall adopt such regulations as are necessary to carry out the provisions of this section.

6. Notwithstanding any provision of this section to the contrary, the provisions of this section do not apply to the mining industry.

7. Except as otherwise provided in subsection 8, as used in this section, “explosive” means gunpowders, powders used for blasting, all forms of high explosives, blasting materials, fuses other than electric circuit breakers, detonators and other detonating agents, smokeless powders, other explosive or incendiary devices and any chemical compound, mechanical mixture or device that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities or packing that ignition by fire, friction, concussion, percussion, or detonation of the compound, mixture or device or any part thereof may cause an explosion.

8. For the purposes of this section, an explosive does not include:

(a) Ammunition for small arms, or any component thereof;

(b) Black powder commercially manufactured in quantities that do not exceed 50 pounds, percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, and friction primers that are intended to be used solely for sporting, recreation or cultural purposes:

(1) In an antique firearm, as that term is defined in 18 U.S.C. § 921(a)(16), as that section existed on January 1, 1999; or

(2) In an antique device which is exempted from the definition of “destructive device” pursuant to 18 U.S.C. § 921(a)(4), as that section existed on January 1, 1999; or

(c) Any explosive that is manufactured under the regulation of a military department of the United States, or that is distributed to, or possessed or stored by, the military or naval service or any other agency of the United States, or an arsenal, a navy yard, a depot or any other establishment owned by or operated on behalf of the United States.

(Added to NRS by [1999, 2010](#))

NRS 618.900 Permit for construction or alteration of major process used to protect lives, safety and health of employees: Injunctive relief and penalty for failure to obtain permit. If any person violates the provisions of [NRS 618.898](#), the Division may:

1. Maintain an action in a court of competent jurisdiction for injunctive or any other appropriate relief to prohibit and prevent the violation. The court may proceed in the action in a summary manner.

2. Unless a greater penalty is provided in this chapter, require the violator to pay an administrative fine of not more than \$25,000.

(Added to NRS by [1999, 2011](#))

Photovoltaic System Projects

NRS 618.910 Definitions. As used in [NRS 618.910](#) to [618.936](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 618.912](#), [618.914](#) and [618.916](#) have the meanings ascribed to them in those sections.

(Added to NRS by [2005, 22nd Special Session, 72](#); A [2013, 2745](#))

NRS 618.912 “Photovoltaic installer” defined. “Photovoltaic installer” means a person directly engaged with the electrical connection and wiring of a photovoltaic system project in a capacity other than as an inspector, management planner, consultant, project designer, contractor or supervisor for the photovoltaic system project.

(Added to NRS by [2005, 22nd Special Session, 72](#))

NRS 618.914 “Photovoltaic system” defined. “Photovoltaic system” means a facility or energy system for the generation of electricity that uses photovoltaic cells and solar energy to generate electricity.

(Added to NRS by [2005, 22nd Special Session, 72](#))

NRS 618.916 “Photovoltaic system project” defined.

1. “Photovoltaic system project” means a project related to:

(a) The installation of a photovoltaic system; or

(b) The maintenance of a photovoltaic system.

2. The term does not include the installation or maintenance of a photovoltaic system before January 1, 2007.

(Added to NRS by [2005, 22nd Special Session, 72](#))

NRS 618.918 Regulations of Division. The Division may adopt such regulations as are necessary to carry out the provisions of [NRS 618.910](#) to [618.936](#), inclusive.

(Added to NRS by [2005, 22nd Special Session, 73](#))

NRS 618.920 Issuance of license as photovoltaic installer. The Division shall issue a license to each qualified applicant for licensure as a photovoltaic installer.

(Added to NRS by [2005, 22nd Special Session, 73](#))

NRS 618.922 Application for license: Requirements and procedures. A person applying for a license as a photovoltaic installer must:

1. Submit an application on a form prescribed and furnished by the Division;
2. Pay all required fees established by the Division by regulation;
3. Pass an examination approved or administered by the Division for licensure as a photovoltaic installer;
4. If the person is a contractor, provide proof to the Division that the person has been issued a license of the appropriate classification by the State Contractors' Board pursuant to [chapter 624](#) of NRS; and
5. Meet any additional requirements established by the Division.

(Added to NRS by [2005, 22nd Special Session, 73](#))

NRS 618.924 Application for license: Statement by applicant regarding child support; grounds for denial of license; duty of Division. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. In addition to any other requirements set forth in [NRS 618.910](#) to [618.936](#), inclusive, an applicant for the issuance or renewal of a license as a photovoltaic installer shall submit to the Division:

(a) The statement prescribed by the Division of Social Services of the Department of Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

(b) The social security number of the applicant.

2. The Division shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of a license; or

(b) A separate form prescribed by the Division.

3. A license as a photovoltaic installer may not be issued or renewed by the Division if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that he or she is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Division shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by [2005, 22nd Special Session, 73](#))

NRS 618.926 Renewal of license; continuing education or training.

1. A license as a photovoltaic installer expires 1 year after the date on which the license is issued. To renew a license as a photovoltaic installer, a person must, on or before the date on which the license expires:

- (a) Apply to the Division for renewal;
- (b) Pay the annual fee for renewal established by the Division by regulation; and
- (c) Submit evidence satisfactory to the Division that the person has completed the requirements for continuing education or training established by the Division, if any.

2. The Division may adopt regulations establishing requirements for continuing education or training that a person must complete in order for the person to renew a license as a photovoltaic installer.

(Added to NRS by [2005, 22nd Special Session, 73](#))

NRS 618.927 Renewal of license; additional requirements.

1. In addition to any other requirements set forth in this chapter, an applicant for the renewal of a license as a photovoltaic installer must indicate in the application submitted to the Division whether the applicant has a state business license. If the applicant has a state business license, the applicant must include in the application the business identification number assigned by the Secretary of State upon compliance with the provisions of [chapter 76](#) of NRS.

2. A license as a photovoltaic installer may not be renewed by the Division if:

- (a) The applicant fails to submit the information required by subsection 1; or
- (b) The State Controller has informed the Division pursuant to subsection 5 of [NRS 353C.1965](#) that the applicant owes a debt to an agency that has been assigned to the State Controller for collection and the applicant has not:
 - (1) Satisfied the debt;
 - (2) Entered into an agreement for the payment of the debt pursuant to [NRS 353C.130](#);

or

- (3) Demonstrated that the debt is not valid.

3. As used in this section:

- (a) “Agency” has the meaning ascribed to it in [NRS 353C.020](#).
- (b) “Debt” has the meaning ascribed to it in [NRS 353C.040](#).

(Added to NRS by [2013, 2743](#))

NRS 618.928 Suspension of license for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Division receives a copy of a court order issued pursuant to [NRS 425.540](#) that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license as a photovoltaic installer, the Division shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued, unless the Division receives a letter issued to the holder of the certificate by the district attorney or other public agency pursuant to [NRS 425.550](#) stating that the holder of the license has complied with the subpoena or warrant, or has satisfied the arrearage pursuant to [NRS 425.560](#).

2. The Division shall reinstate a license that has been suspended by a district court pursuant to [NRS 425.540](#) if the Division receives a letter issued by the district attorney or other public agency pursuant to [NRS 425.550](#) to the person whose license was suspended

stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

(Added to NRS by [2005, 22nd Special Session, 74](#))

NRS 618.930 Disciplinary action; owner of building not liable for employment of another photovoltaic installer after suspension or revocation of license of original installer.

1. In addition to any other remedy or penalty, if the Division finds that a person has violated any provision of [NRS 618.910](#) to [618.936](#), inclusive, or the standards or regulations adopted pursuant thereto, the Division may:

(a) Upon the first violation, impose upon the person an administrative fine of not more than \$1,500.

(b) Upon the second violation or a subsequent violation:

(1) Impose upon the person an administrative fine of not more than \$2,500; and

(2) If the person is licensed pursuant to [NRS 618.910](#) to [618.936](#), inclusive, suspend or revoke the person's license and require the person to fulfill certain training or educational requirements to have the license reinstated.

2. Any penalty imposed pursuant to subsection 1 does not relieve the person from criminal prosecution for acting as a photovoltaic installer without a license.

3. If the license of a photovoltaic installer is suspended or revoked pursuant to subsection 1 and the owner of a building or structure who has contracted with the photovoltaic installer for a photovoltaic system project contracts with another licensed photovoltaic installer to complete the project, the original photovoltaic installer may not bring an action against the owner of the building or structure for breach of contract or damages based on the contract with the other licensed photovoltaic installer.

(Added to NRS by [2005, 22nd Special Session, 74](#); A [2013, 2745](#))

NRS 618.932 Notice of intent to suspend or revoke license; hearing.

1. If the Division intends to suspend or revoke a person's license, the Division shall first notify the person by certified mail. The notice must contain a statement of the Division's legal authority, jurisdiction and reasons for the proposed action.

2. A person is entitled to a hearing to contest the proposed suspension or revocation of the person's license. A request for such a hearing must be made pursuant to regulations adopted by the Division.

3. Upon receiving a request for a hearing to contest a proposed suspension or revocation, the Division shall hold a hearing within 10 days after the date of the receipt of the request.

(Added to NRS by [2005, 22nd Special Session, 74](#))

NRS 618.934 Injunctive relief. The Division may maintain in a court of competent jurisdiction a suit for an injunction against any person who acts as a photovoltaic installer in violation of any provision of [NRS 618.910](#) to [618.936](#), inclusive, or the standards or regulations adopted pursuant thereto. An injunction:

1. May be issued without proof of actual damage sustained by any person.

2. Does not relieve the person from criminal liability for acting as a photovoltaic installer without a license.

(Added to NRS by [2005, 22nd Special Session, 75](#))

NRS 618.936 Penalty for acting as photovoltaic installer without license or employing or contracting with person to act as installer without license.

1. Except as otherwise provided in subsection 2, a person shall not:

(a) Act as a photovoltaic installer for a photovoltaic system project unless the person holds a license as a photovoltaic installer issued by the Division; or

(b) Employ or contract with another person to act as a photovoltaic installer for a photovoltaic system project unless the other person holds a license as a photovoltaic installer issued by the Division.

2. A person is not required to obtain a license from the Division to install or maintain a photovoltaic system project on property that the person owns and occupies as a residence.

3. A person who violates any provision of this section is guilty of a misdemeanor.

(Added to NRS by [2005, 22nd Special Session, 75](#))

MANDATORY OSHA-10 AND OSHA-30 TRAINING FOR CONSTRUCTION INDUSTRY

NRS 618.950 Definitions. As used in [NRS 618.950](#) to [618.990](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 618.953](#) to [618.967](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [2009, 2420](#))

NRS 618.953 “Construction site” defined. “Construction site” means any location at which construction work is being commenced or is in progress.

(Added to NRS by [2009, 2420](#))

NRS 618.957 “Construction worker” defined.

1. “Construction worker” means a person who actually performs physical work at a construction site:

(a) That results in the construction, alteration or destruction involved in the construction project, including, without limitation, painting and decorating; or

(b) Who supervises any person engaged in work described in paragraph (a).

2. The term does not include a person to the extent that the person performs or supervises another person who performs work which is conducted:

(a) For the upkeep of an existing property for which a certificate of occupancy has been issued by the appropriate building inspector or other authority; and

(b) To prevent the property from degrading, to maintain the property in its original condition or to maintain the operational soundness of the property, including, without limitation, by repairing components of the property or by replacing components of the property with the same or similar components.

(Added to NRS by [2009, 2420](#))

NRS 618.960 “OSHA-10 course” defined. “OSHA-10 course” means a 10-hour course in construction industry safety and health hazard recognition and prevention developed by the Occupational Safety and Health Administration of the United States Department of Labor.

(Added to NRS by [2009, 2421](#))

NRS 618.963 “OSHA-30 course” defined. “OSHA-30 course” means a 30-hour course in construction industry safety and health hazard recognition and prevention developed by the Occupational Safety and Health Administration of the United States Department of Labor.

(Added to NRS by [2009, 2421](#))

NRS 618.967 “Supervisory employee” defined. “Supervisory employee” means any person having authority in the interest of the employer to hire, transfer, suspend, lay off, recall,

promote, discharge, assign, reward or discipline other employees or responsibility to direct them, to adjust their grievances or effectively to recommend such action, if in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature but requires the use of independent judgment. The exercise of such authority shall not be deemed to place the employee in supervisory employee status unless the exercise of such authority occupies a significant portion of the employee's workday.

(Added to NRS by [2009, 2421](#))

NRS 618.970 Inapplicability of [NRS 618.950](#) to [618.990](#), inclusive, to Department of Transportation. The provisions of [NRS 618.950](#) to [618.990](#), inclusive, do not apply to:

1. The Department of Transportation; or
2. An employee of the Department of Transportation while performing his or her duties as an employee of the Department.

(Added to NRS by [2009, 2421](#))

NRS 618.973 Regulations. The Division may adopt such regulations as are necessary to carry out the provisions of [NRS 618.950](#) to [618.990](#), inclusive.

(Added to NRS by [2009, 2421](#))

NRS 618.977 Division duties: Approval of OSHA-10 and OSHA-30 courses; registry to track trainers; registry to track persons who successfully completed courses; availability of registry.

1. The Division shall, by regulation, approve OSHA-10 courses and OSHA-30 courses for the purposes of fulfilling the requirements of [NRS 618.983](#).

2. The Division shall establish:

(a) A registry to track trainers, as defined in [NRS 618.980](#); and

(b) A registry to track construction workers, supervisory employees and other persons who have successfully completed OSHA-10 courses or OSHA-30 courses. The costs of establishing this registry must not be borne, directly or indirectly, by the construction workers, supervisory employees or other persons who are tracked in the registry.

3. The registry established pursuant to paragraph (b) of subsection 2 must be accessible via an Internet website to enable the public to verify whether a construction worker, supervisory employee or other person has successfully completed an OSHA-10 course or OSHA-30 course.

(Added to NRS by [2009, 2421](#); A [2015, 3657](#); [2019, 976](#))

NRS 618.980 Duties of trainers; only trainers may provide courses.

1. Each trainer shall:

(a) Register with the Division.

(b) Display his or her trainer card in a conspicuous manner at each location where the trainer provides an OSHA-10 course or OSHA-30 course.

(c) Report to the Division the name of each person who successfully completes an OSHA-10 course or OSHA-30 course provided by the trainer.

2. No person other than a trainer may provide an OSHA-10 course or OSHA-30 course.

3. As used in this section:

(a) "Trainer" means a person who is currently authorized by the Occupational Safety and Health Administration of the United States Department of Labor as a trainer, including, without limitation, a person who has completed OSHA 500, the Trainer Course in Occupational Safety and Health Standards for the Construction Industry.

(b) "Trainer card" means the card issued upon completion of OSHA 500, the Trainer Course in Occupational Safety and Health Standards for the Construction Industry, which

reflects the authorization of the holder by the Occupational Safety and Health Administration of the United States Department of Labor to provide OSHA-10 courses and OSHA-30 courses.

(Added to NRS by [2009, 2421](#); A [2019, 977](#))

NRS 618.983 Requirements to obtain completion card.

1. Not later than 15 days after the date a construction worker other than a supervisory employee is hired, the construction worker must obtain a completion card for an OSHA-10 course which is issued upon completion of a course approved by the Division pursuant to [NRS 618.977](#).

2. Not later than 15 days after the date a supervisory employee is hired, the supervisory employee must obtain a completion card for an OSHA-30 course which is issued upon completion of a course approved by the Division pursuant to [NRS 618.977](#).

(Added to NRS by [2009, 2422](#); A [2009, 2424](#); [2015, 3657](#))

NRS 618.987 Requirements to present employer with completion card.

1. If a construction worker other than a supervisory employee fails to present his or her employer with a current and valid completion card for an OSHA-10 course not later than 15 days after being hired, the employer shall suspend or terminate his or her employment.

2. If a supervisory employee on a construction site fails to present his or her employer with a current and valid completion card for an OSHA-30 course not later than 15 days after being hired, the employer shall suspend or terminate his or her employment.

(Added to NRS by [2009, 2423](#); A [2009, 2424](#))

NRS 618.990 Penalties.

1. If the Division finds that an employer has failed to suspend or terminate an employee as required by [NRS 618.987](#), it shall:

(a) Upon the first violation, in lieu of any other penalty under this chapter, impose upon the employer an administrative fine of not more than \$500.

(b) Upon the second violation, in lieu of any other penalty under this chapter, impose upon the employer an administrative fine of not more than \$1,000.

(c) Upon the third and each subsequent violation, impose upon the employer the penalty provided in [NRS 618.635](#) as if the employer had committed a willful violation.

2. For the purposes of this section, any number of violations discovered in a single day constitute a single violation.

3. Before a fine or any other penalty is imposed upon an employer pursuant to this section, the Division must follow the procedures set forth in this chapter for the issuance of a citation, including, without limitation, the procedures set forth in [NRS 618.475](#) for notice to the employer and an opportunity for the employer to contest the violation.

(Added to NRS by [2009, 2423](#))

MANDATORY OSHA-10 AND OSHA-30 TRAINING FOR ENTERTAINMENT INDUSTRY

NRS 618.9901 Definitions. As used in [NRS 618.9901](#) to [618.9913](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 618.9902](#) to [618.9906](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [2017, 466](#))

NRS 618.9902 “OSHA-10 course” defined. “OSHA-10 course” means a 10-hour course in general industry safety and health hazard recognition and prevention developed by the Occupational Safety and Health Administration of the United States Department of Labor.

(Added to NRS by [2017, 466](#))

NRS 618.9903 “OSHA-30 course” defined. “OSHA-30 course” means a 30-hour course in general industry safety and health hazard recognition and prevention developed by the Occupational Safety and Health Administration of the United States Department of Labor.

(Added to NRS by [2017, 466](#))

NRS 618.9904 “Site” defined. “Site” means a theater where live entertainment is performed, a sound stage, a showroom, a lounge, an arena or a remote site which has been designated as a location for the production of a motion picture or television program.

(Added to NRS by [2017, 466](#))

NRS 618.9905 “Supervisory employee” defined. “Supervisory employee” means any person having authority in the interest of the employer to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees or responsibility to direct them, to adjust their grievances or effectively to recommend such action, if in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature but requires the use of independent judgment. The exercise of such authority shall not be deemed to place the employee in supervisory employee status unless the exercise of such authority occupies a significant portion of the employee’s workday.

(Added to NRS by [2017, 466](#))

NRS 618.9906 “Worker” defined. “Worker” means a person whose primary occupation is to perform work on a site, including, without limitation, the construction, installation, maintenance, operation, repair or removal of:

1. Theatrical scenery, rigging or props;
2. Wardrobe, hair or makeup;
3. Audio, camera, projection, video or lighting equipment; or
4. Any other items or parts which are related to or components of the items described in subsection 1, 2 or 3 and which are used for or in conjunction with the presentation or production of:
 - (a) Live entertainment;
 - (b) Filmmaking or photography, including, without limitation, motion pictures;
 - (c) Television programs, including, without limitation, live broadcasts, closed-circuit broadcasts or videotape recordings and playback;
 - (d) Sporting events; or
 - (e) Theatrical performances.

(Added to NRS by [2017, 466](#))

NRS 618.9907 Applicability. The provisions of [NRS 618.9901](#) to [618.9913](#), inclusive, do not apply to a volunteer or any other person who is not paid to perform work on a site.

(Added to NRS by [2017, 467](#))

NRS 618.9908 Regulations. The Division may adopt such regulations as are necessary to carry out the provisions of [NRS 618.9901](#) to [618.9913](#), inclusive.

(Added to NRS by [2017, 467](#))

NRS 618.9909 Division duties: Approval of OSHA-10 and OSHA-30 courses; registry of course providers; guidelines for continuing education.

1. The Division shall, by regulation, approve OSHA-10 courses and OSHA-30 courses for the purposes of fulfilling the requirements of [NRS 618.9911](#).

2. The Division shall establish a registry to track the providers of courses approved pursuant to subsection 1.

3. The Division shall adopt regulations that set forth guidelines for job-specific training to qualify as continuing education for the purposes of [NRS 618.9911](#).

(Added to NRS by [2017, 467](#))

NRS 618.991 Trainer must display trainer card; only trainers may provide courses.

1. Each trainer shall display his or her trainer card in a conspicuous manner at each location where the trainer provides an OSHA-10 course or OSHA-30 course.

2. No person other than a trainer may provide an OSHA-10 course or OSHA-30 course.

3. As used in this section:

(a) "Trainer" means a person who is currently authorized by the Occupational Safety and Health Administration of the United States Department of Labor as a trainer, including, without limitation, a person who has completed OSHA 501, the Trainer Course in OSHA Standards for General Industry.

(b) "Trainer card" means the card issued upon completion of OSHA 501, the Trainer Course in OSHA Standards for General Industry, which reflects the authorization of the holder by the Occupational Safety and Health Administration of the United States Department of Labor to provide OSHA-10 courses and OSHA-30 courses.

(Added to NRS by [2017, 467](#))

NRS 618.9911 Requirements to obtain completion card; expiration and renewal; exemption.

1. The provisions of subsections 2 and 3 do not apply to a worker who is employed by a single employer for a period of less than 15 consecutive days.

2. Not later than 15 days after the date a worker other than a supervisory employee begins work on a site, the worker must obtain a completion card for an OSHA-10 course which is issued upon completion of a course approved by the Division pursuant to [NRS 618.9909](#).

3. Not later than 15 days after the date a supervisory employee begins work on a site, the supervisory employee must obtain a completion card for an OSHA-30 course which is issued upon completion of a course approved by the Division pursuant to [NRS 618.9909](#).

4. Any completion card used to satisfy the requirements of this section expires 5 years after the date it is issued and may be renewed by:

(a) Completing an OSHA-10 course or OSHA-30 course, as applicable, within the previous 5 years; or

(b) Providing proof satisfactory to the Division that the worker has completed continuing education within the previous 5 years consisting of job-specific training that meets the guidelines established by the Division pursuant to [NRS 618.9909](#) in an amount of:

(1) For a completion card issued for an OSHA-10 course, not less than 5 hours; or

(2) For a completion card issued for an OSHA-30 course, not less than 15 hours.

(Added to NRS by [2017, 467](#); A [2017, 469](#); [2019, 977](#))

NRS 618.9912 Requirements to present employer with completion card; suspension or termination for failure to comply.

1. If a worker other than a supervisory employee fails to present his or her employer with a current and valid completion card for an OSHA-10 course as required pursuant to [NRS 618.9911](#), the employer shall suspend or terminate his or her employment.

2. If a supervisory employee on a site fails to present his or her employer with a current and valid completion card for an OSHA-30 course as required pursuant to [NRS 618.9911](#), the employer shall suspend or terminate his or her employment.

(Added to NRS by [2017, 468](#); A [2017, 470](#); [2019, 977](#))

NRS 618.9913 Penalties.

1. If the Division finds that an employer has failed to suspend or terminate an employee as required by [NRS 618.9912](#), the Division shall:

(a) Upon the first violation, in lieu of any other penalty under this chapter, impose upon the employer an administrative fine of not more than \$500.

(b) Upon the second violation, in lieu of any other penalty under this chapter, impose upon the employer an administrative fine of not more than \$1,000.

(c) Upon the third and each subsequent violation, impose upon the employer the penalty provided in [NRS 618.635](#) as if the employer had committed a willful violation.

2. For the purposes of this section, any number of violations discovered in a single day constitutes a single violation.

3. Before a fine or any other penalty is imposed upon an employer pursuant to this section, the Division must follow the procedures set forth in this chapter for the issuance of a citation, including, without limitation, the procedures set forth in [NRS 618.475](#) for notice to the employer and an opportunity for the employer to contest the violation.

(Added to NRS by [2017, 469](#))

MANDATORY OSHA-10 AND OSHA-30 TRAINING FOR CONVENTION SERVICES

NRS 618.9920 Definitions. As used in [NRS 618.9920](#) to [618.9931](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 618.9921](#) to [618.9925](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [2019, 490](#))

NRS 618.9921 “OSHA-10 course” defined. “OSHA-10 course” means a 10-hour course in construction industry or general industry safety and health hazard recognition and prevention developed by the Occupational Safety and Health Administration of the United States Department of Labor.

(Added to NRS by [2019, 490](#))

NRS 618.9922 “OSHA-30 course” defined. “OSHA-30 course” means a 30-hour course in construction industry or general industry safety and health hazard recognition and prevention developed by the Occupational Safety and Health Administration of the United States Department of Labor.

(Added to NRS by [2019, 490](#))

NRS 618.9923 “Site” defined. “Site” means a facility which incorporates both space for exhibitions and a substantial number of smaller spaces for meetings and which is primarily for use by trade shows, conventions or related activities.

(Added to NRS by [2019, 490](#))

NRS 618.9924 “Supervisory employee” defined. “Supervisory employee” means any person having authority in the interest of the employer to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees or responsibility to direct them, to adjust their grievances or effectively to recommend such action, if in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature but requires the use of independent judgment. The exercise of such authority shall not be deemed to place the employee in supervisory employee status unless the exercise of such authority occupies a significant portion of the employee’s workday.

(Added to NRS by [2019, 490](#))

NRS 618.9925 “Worker” defined.

1. Except as otherwise provided in this subsection, “worker” means a person whose primary occupation is to perform convention services work at a site. The term does not include a person whose primary occupation is to:

- (a) Perform catering;
- (b) Perform janitorial services;
- (c) Perform photography;
- (d) Provide security; or
- (e) Provide, maintain or arrange floral decorations or displays.

2. As used in this section, “convention services work” includes, without limitation:

- (a) Constructing, installing, maintaining, operating or removing trade show or exhibition displays;
- (b) Loading or unloading equipment and materials;
- (c) Erecting or dismantling booths and structures;
- (d) Rigging display areas; and
- (e) Installing temporary electrical power for use in display areas.

(Added to NRS by [2019, 490](#))

NRS 618.9926 Applicability. The provisions of [NRS 618.9920](#) to [618.9931](#), inclusive, do not apply to a volunteer or any other person who is not paid to perform work at a site.

(Added to NRS by [2019, 490](#))

NRS 618.9927 Division duties: Approval of OSHA-10 and OSHA-30 courses; registry of course providers; regulations setting forth guidelines for continuing education.

1. The Division shall, by regulation, approve OSHA-10 courses and OSHA-30 courses for the purposes of fulfilling the requirements of [NRS 618.9929](#).

2. The Division shall establish a registry to track the providers of courses approved pursuant to subsection 1.

3. The Division shall adopt regulations that set forth guidelines for job-specific training to qualify as continuing education for the purposes of [NRS 618.9929](#).

(Added to NRS by [2019, 491](#))

NRS 618.9928 Trainer must display trainer card; only trainers may provide courses.

1. Each trainer shall display his or her trainer card in a conspicuous manner at each location where the trainer provides an OSHA-10 course or an OSHA-30 course.

2. No person other than a trainer may provide an OSHA-10 course or OSHA-30 course.

3. As used in this section:

(a) “Trainer” means a person who is currently authorized by the Occupational Safety and Health Administration of the United States Department of Labor as a trainer, including, without limitation, a person who has completed OSHA 500, the Trainer Course in OSHA Standards for the Construction Industry or OSHA 501, the Trainer Course in OSHA Standards for General Industry.

(b) “Trainer card” means the card issued upon completion of OSHA 500, the Trainer Course in OSHA Standards for the Construction Industry, or OSHA 501, the Trainer Course in OSHA Standards for General Industry, which reflects the authorization of the holder by the Occupational Safety and Health Administration of the United States Department of Labor to provide OSHA-10 courses and OSHA-30 courses.

(Added to NRS by [2019, 491](#))

NRS 618.9929 Requirements to obtain completion card; expiration and renewal.

1. Not later than 15 days after the date a worker other than a supervisory employee is hired, the worker must obtain a completion card for an OSHA-10 course which is issued upon completion of a course approved by the Division pursuant to [NRS 618.9927](#).

2. Not later than 15 days after the date a supervisory employee is hired, the supervisory employee must obtain a completion card for an OSHA-30 course which is issued upon completion of a course approved by the Division pursuant to [NRS 618.9927](#).

3. Any completion card used to satisfy the requirements of this section expires 5 years after the date it is issued and may be renewed by:

(a) Completing an OSHA-10 course or OSHA-30 course, as applicable, within the previous 5 years; or

(b) Providing proof satisfactory to the Division that the worker has completed continuing education within the previous 5 years consisting of job-specific training that meets the guidelines established by the Division pursuant to [NRS 618.9927](#) in an amount of:

(1) For a completion card issued for an OSHA-10 course, not less than 5 hours; or

(2) For a completion card issued for an OSHA-30 course, not less than 15 hours.

(Added to NRS by [2019, 491](#); A [2019, 493](#))

NRS 618.9930 Requirements to present employer with completion card; suspension or termination for failure to comply.

1. If a worker other than a supervisory employee fails to present his or her employer with a current and valid completion card for an OSHA-10 course not later than 15 days after being hired, the employer shall suspend or terminate his or her employment.

2. If a supervisory employee at a site fails to present his or her employer with a current and valid completion card for an OSHA-30 course not later than 15 days after being hired, the employer shall suspend or terminate his or her employment.

(Added to NRS by [2019, 492](#); A [2019, 493](#))

NRS 618.9931 Penalties.

1. If the Division finds that an employer has failed to suspend or terminate an employee as required by [NRS 618.9930](#), the Division shall:

(a) Upon the first violation, in lieu of any other penalty under this chapter, impose upon the employer an administrative fine of not more than \$500.

(b) Upon the second violation, in lieu of any other penalty under this chapter, impose upon the employer an administrative fine of not more than \$1,000.

(c) Upon the third and each subsequent violation, impose upon the employer the penalty provided in [NRS 618.635](#) as if the employer had committed a willful violation.

2. For the purposes of this section, any number of violations discovered in a single day constitutes a single violation.

3. Before a fine or any other penalty is imposed upon an employer pursuant to this section, the Division must follow the procedures set forth in this chapter for the issuance of a citation, including, without limitation, the procedures set forth in [NRS 618.475](#) for notice to the employer and an opportunity for the employer to contest the violation.

(Added to NRS by [2019, 492](#))

MANDATORY OSHA-10 AND OSHA-30 TRAINING FOR EMPLOYEES OF CANNABIS ESTABLISHMENTS

NRS 618.9940 Definitions. As used in [NRS 618.9940](#) to [618.9950](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 618.9941](#) to [618.9945](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [2021, 232](#))

NRS 618.9941 “Cannabis establishment” defined. “Cannabis establishment” has the meaning ascribed to it in [NRS 678A.095](#).

(Added to NRS by [2021, 232](#))

NRS 618.9942 “Employee” defined.

1. “Employee” means a person who performs work at a cannabis establishment.

2. The term does not include a person:

(a) Whose primary occupation is to provide photography, media, marketing or legal services; or

(b) Who is a shareholder, officer, board member or advisory board member of a cannabis establishment and who does not have an active role in the day-to-day operation of the cannabis establishment.

(Added to NRS by [2021, 232](#))

NRS 618.9943 “OSHA-10 course” defined. “OSHA-10 course” means a 10-hour course in general industry safety and health hazard recognition and prevention developed by the Occupational Safety and Health Administration of the United States Department of Labor.

(Added to NRS by [2021, 232](#))

NRS 618.9944 “OSHA-30 course” defined. “OSHA-30 course” means a 30-hour course in general industry safety and health hazard recognition and prevention developed by the Occupational Safety and Health Administration of the United States Department of Labor.

(Added to NRS by [2021, 232](#))

NRS 618.9945 “Supervisory employee” defined. “Supervisory employee” means any employee having authority in the interest of the cannabis establishment to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees or responsibility to direct them, to adjust their grievances or effectively to recommend such action, if in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature but requires the use of independent judgment. The exercise of such authority shall not be deemed to place the employee in supervisory employee status unless the exercise of such authority occupies a significant portion of the employee’s workday.

(Added to NRS by [2021, 232](#))

NRS 618.9946 Division duties: Registry of course providers. The Division shall establish a registry to track the providers of OSHA-10 courses and OSHA-30 courses.

(Added to NRS by [2021, 232](#))

NRS 618.9947 Trainer must display trainer card; only trainers may provide courses.

1. Each trainer shall display his or her trainer card in a conspicuous manner at each location where the trainer provides an OSHA-10 course or OSHA-30 course.

2. No person other than a trainer may provide an OSHA-10 course or OSHA-30 course.

3. As used in this section:

(a) “Trainer” means a person who is currently authorized by the Occupational Safety and Health Administration of the United States Department of Labor as a trainer, including, without limitation, a person who has completed OSHA 501, the Trainer Course in OSHA Standards for General Industry.

(b) “Trainer card” means the card issued upon completion of OSHA 501, the Trainer Course in OSHA Standards for General Industry, which reflects the authorization of the holder

by the Occupational Safety and Health Administration of the United States Department of Labor to provide OSHA-10 courses and OSHA-30 courses.

(Added to NRS by [2021, 232](#))

NRS 618.9948 Requirements to obtain completion card; costs to be paid by cannabis establishment.

1. Not later than 1 year after the date an employee other than a supervisory employee is hired, the employee must obtain a completion card for an OSHA-10 course.

2. Not later than 1 year after the date a supervisory employee is hired, the supervisory employee must obtain a completion card for an OSHA-30 course.

3. Any costs associated with an employee obtaining a completion card pursuant to subsection 1 or 2 must be paid by the cannabis establishment by which the employee is employed.

(Added to NRS by [2021, 233](#))

NRS 618.9949 Requirements to present cannabis establishment with completion card; suspension or termination for failure to comply.

1. If an employee other than a supervisory employee fails to present the cannabis establishment by which he or she is employed with a current and valid completion card for an OSHA-10 course as required pursuant to [NRS 618.9948](#), the cannabis establishment shall suspend or terminate his or her employment.

2. If a supervisory employee fails to present the cannabis establishment by which he or she is employed with a current and valid completion card for an OSHA-30 course as required pursuant to [NRS 618.9948](#), the cannabis establishment shall suspend or terminate his or her employment.

(Added to NRS by [2021, 233](#))

NRS 618.9950 Penalties.

1. If the Division finds that a cannabis establishment has failed to suspend or terminate an employee as required by [NRS 618.9949](#), the Division shall:

(a) Upon the first violation, in lieu of any other penalty under this chapter, impose upon the cannabis establishment an administrative fine of not more than \$500.

(b) Upon the second violation, in lieu of any other penalty under this chapter, impose upon the cannabis establishment an administrative fine of not more than \$1,000.

(c) Upon the third and each subsequent violation, impose upon the cannabis establishment the penalty provided in [NRS 618.635](#) as if the cannabis establishment had committed a willful violation.

2. For the purposes of this section, any number of violations discovered in a single day constitutes a single violation.

3. Before a fine or any other penalty is imposed upon a cannabis establishment pursuant to this section, the Division must follow the procedures set forth in this chapter for the issuance of a citation, including, without limitation, the procedures set forth in [NRS 618.475](#) for providing notice to the cannabis establishment and an opportunity for the cannabis establishment to contest the violation.

(Added to NRS by [2021, 233](#))