

ASSEMBLY BILL NO. 290—ASSEMBLYWOMAN JAUREGUI

MARCH 18, 2019

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to occupational safety and health. (BDR 53-286)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to occupational safety; requiring the Division of Industrial Relations of the Department of Business and Industry to establish registries to track trainers who provide courses in construction industry safety and health hazard recognition and persons who successfully complete such courses; revising provisions governing the duties of a trainer who provides courses in construction industry safety and health hazard recognition; revising provisions requiring certain employees on certain sites related to the entertainment industry to receive certain health and safety training; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires each construction worker and supervisory employee to obtain, within 15 days after the date he or she is hired, a completion card for taking a course in construction industry safety and health hazard recognition which is: (1) developed by the Occupational Safety and Health Administration of the United States Department of Labor; and (2) approved by the Division of Industrial Relations of the Department of Business and Industry. (NRS 618.983)

Section 5 of this bill requires the Division of Industrial Relations of the Department of Business and Industry to establish registries to track: (1) construction workers, supervisory employees and other persons who have successfully completed certain courses in construction industry safety and health hazard recognition; and (2) persons who are authorized by the Occupational Safety and Health Administration of the United States Department of Labor as trainers to provide such courses. **Section 5** also: (1) prohibits the costs of establishing the registry of construction workers, supervisory employees and other persons who have successfully completed the courses from being borne by those workers, employees and persons; and (2) requires the registry of persons who have



17 successfully completed OSHA-10 courses or OSHA-30 courses to be accessible via
18 an Internet website to enable the public to verify a person's completion of such a
19 course.

20 **Section 6** of this bill requires each trainer to: (1) register with the Division for
21 tracking in its registry; and (2) report to the Division the name of each person who
22 successfully completes a course in construction industry safety and health hazard
23 recognition provided by the trainer.

24 Existing law requires each entertainment industry worker and supervisory
25 employee to obtain, within 15 days after the date he or she is hired, a completion
26 card for taking a course in general industry safety and health hazard recognition
27 which is: (1) developed by the Occupational Safety and Health Administration of
28 the United States Department of Labor; and (2) approved by the Division of
29 Industrial Relations of the Department of Business and Industry. (NRS 618.9911)

30 **Section 7** of this bill: (1) requires a worker to obtain a completion card within 15
31 days after the date he or she begins work on a site; and (2) exempts from this
32 requirement a worker who is employed by a single employer for a period of less
33 than 15 consecutive days.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 2.** (Deleted by amendment.)

3 **Sec. 3.** (Deleted by amendment.)

4 **Sec. 4.** (Deleted by amendment.)

5 **Sec. 5.** NRS 618.977 is hereby amended to read as follows:

6 618.977 1. The Division shall, by regulation, approve
7 OSHA-10 courses and OSHA-30 courses for the purposes of
8 fulfilling the requirements of NRS 618.983.

9 2. The Division shall establish ~~fa~~:

10 (a) ~~registry to track the providers of courses approved pursuant~~
11 ~~to subsection 1.~~ *A registry to track trainers, as defined in NRS*
12 *618.980; and*

13 (b) *A registry to track construction workers, supervisory*
14 *employees and other persons who have successfully completed*
15 *OSHA-10 courses or OSHA-30 courses. The costs of establishing*
16 *this registry must not be borne, directly or indirectly, by the*
17 *construction workers, supervisory employees or other persons who*
18 *are tracked in the registry.*

19 3. *The registry established pursuant to paragraph (b) of*
20 *subsection 2 must be accessible via an Internet website to enable*
21 *the public to verify whether a construction worker, supervisory*
22 *employee or other person has successfully completed an OSHA-10*
23 *course or OSHA-30 course.*

24 **Sec. 6.** NRS 618.980 is hereby amended to read as follows:

25 618.980 1. Each trainer shall ~~display~~:

26 (a) *Register with the Division.*



1 **(b) Display** his or her trainer card in a conspicuous manner at
2 each location where the trainer provides an OSHA-10 course or
3 OSHA-30 course.

4 **(c) Report to the Division the name of each person who**
5 **successfully completes an OSHA-10 course or OSHA-30 course**
6 **provided by the trainer.**

7 2. No person other than a trainer may provide an OSHA-10
8 course or OSHA-30 course.

9 3. As used in this section:

10 (a) "Trainer" means a person who is currently authorized by the
11 Occupational Safety and Health Administration of the United States
12 Department of Labor as a trainer, including, without limitation, a
13 person who has completed OSHA 500, the Trainer Course *in*
14 *Occupational Safety and Health Standards* for the Construction
15 Industry.

16 (b) "Trainer card" means the card issued upon completion of
17 OSHA 500, the Trainer Course *in Occupational Safety and Health*
18 *Standards* for the Construction Industry, which reflects the
19 authorization of the holder by the Occupational Safety and Health
20 Administration of the United States Department of Labor to provide
21 OSHA-10 courses and OSHA-30 courses.

22 **Sec. 7.** NRS 618.9911 is hereby amended to read as follows:

23 618.9911 1. ***The provisions of subsections 2 and 3 do not***
24 ***apply to a worker who is employed by a single employer for a***
25 ***period of less than 15 consecutive days.***

26 2. Not later than 15 days after the date a worker other than a
27 supervisory employee ~~[is hired,]~~ ***begins work on a site,*** the worker
28 must obtain a completion card for an OSHA-10 course which is
29 issued upon completion of a course approved by the Division
30 pursuant to NRS 618.9909.

31 ~~[2.]~~ 3. Not later than 15 days after the date a supervisory
32 employee ~~[is hired,]~~ ***begins work on a site,*** the supervisory
33 employee must obtain a completion card for an OSHA-30 course
34 which is issued upon completion of a course approved by the
35 Division pursuant to NRS 618.9909.

36 ~~[3.]~~ 4. Any completion card used to satisfy the requirements of
37 this section expires 5 years after the date it is issued and may be
38 renewed by:

39 (a) Completing an OSHA-10 course or OSHA-30 course, as
40 applicable, within the previous 5 years; or

41 (b) Providing proof satisfactory to the Division that the worker
42 has completed continuing education within the previous 5 years
43 consisting of job-specific training that meets the guidelines
44 established by the Division pursuant to NRS 618.9909 in an amount
45 of:



1 (1) For a completion card issued for an OSHA-10 course, not
2 less than 5 hours; or

3 (2) For a completion card issued for an OSHA-30 course, not
4 less than 15 hours.

5 **Sec. 8.** NRS 618.9912 is hereby amended to read as follows:

6 618.9912 1. If a worker other than a supervisory employee
7 fails to present his or her employer with a current and valid
8 completion card for an OSHA-10 course ~~[not later than 15 days after~~
9 ~~being hired,]~~ *as required pursuant to NRS 618.9911*, the employer
10 shall suspend or terminate his or her employment.

11 2. If a supervisory employee on a site fails to present his or her
12 employer with a current and valid completion card for an OSHA-30
13 course ~~[not later than 15 days after being hired,]~~ *as required*
14 *pursuant to NRS 618.9911*, the employer shall suspend or terminate
15 his or her employment.

16 **Sec. 9.** This act becomes effective:

17 1. Upon passage and approval for the purposes of performing
18 any preparatory administrative tasks and adopting any regulations
19 necessary to carry out the provisions of this act; and

20 2. On January 1, 2020, for all other purposes.

