

**REVISED ADOPTED REGULATION OF THE
DIVISION OF INDUSTRIAL RELATIONS OF THE
DEPARTMENT OF BUSINESS AND INDUSTRY**

LCB File No. R053-20

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

AUTHORITY: §§ 1-9, NRS 618.295 and 618.315.

A REGULATION relating to occupational safety and health; imposing certain duties on employers of employees who are exposed to certain high temperatures; requiring an employer to provide employees with training relating to heat illness; imposing certain duties on an employer of an employee who shows signs or symptoms of heat illness; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires certain employers to establish a written safety program. (NRS 618.383) **Section 7** of this regulation: (1) requires an employer of employees who are exposed to certain high temperatures to include a program for the management of heat illness in the written safety program; (2) sets forth certain items which must be included in such a program for the management of heat illness; and (3) provides that if an employer is required to establish a safety committee, the employer must provide employees with an opportunity to comment on the program for the management of heat illness.

Section 8 of this regulation requires an employer to provide certain supervisory and nonsupervisory employees with training relating to heat illness.

Section 9 of this regulation imposes certain duties on an employer of an employee who shows signs or demonstrates symptoms of heat illness.

Section 1. Chapter 618 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this regulation.

Sec. 2. *As used in sections 2 to 9, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 to 6, inclusive, of this regulation have the meanings ascribed to them in those sections.*

Sec. 3. *“Acclimatization” means the temporary adaptation of a person’s body to work in the heat that occurs gradually when the person is exposed to the heat.*

Sec. 4. *“Heat illness” means a medical condition resulting from the body’s inability to cope with a particular heat load and includes, without limitation, heat cramps, heat rash, heat exhaustion, fainting and heat stroke.*

Sec. 5. *“Personal risk factors for heat illness” means factors that affect the retention of water by the body and other physiological responses to heat, including, without limitation, a person’s:*

- 1. Age;*
- 2. Degree of acclimatization;*
- 3. Health;*
- 4. Consumption of water;*
- 5. Consumption of alcohol;*
- 6. Consumption of caffeine; and*
- 7. Use of prescription medications.*

Sec. 6. *“Shade” means a blockage of direct sunlight.*

Sec. 7. *1. An employer of employees who are exposed to temperatures at or above a dry-bulb temperature of 90 degrees Fahrenheit shall include a program for the management of heat illness in the written safety program required by NRS 618.383.*

2. A program for the management of heat illness required pursuant to subsection 1 must include:

(a) Provision for potable water, including how such water will be provided where water is not plumbed or otherwise continuously provided;

- (b) Provision for rest breaks for employees who are exhibiting signs of heat illness;*
- (c) Provision, during daylight hours, for shade or other means of cooling which are at least as effective as shade;*
- (d) Monitoring of employees for heat illness;*
- (e) Monitoring the acclimatization of employees for not fewer than the first 14 days of their employment;*
- (f) Identification of work processes which may generate additional heat or humidity and procedures to mitigate those hazards;*
- (g) Training of employees and management; and*
- (h) Procedures for responding to an emergency.*

3. If an employer is required to establish a safety committee pursuant to subsection 2 of NRS 618.383, the employer must provide employees with an opportunity to provide comment to the employer on the program for the management of heat illness required pursuant to subsection 1.

Sec. 8. 1. An employer who, pursuant to section 7 of this regulation, is required to include a program for the management of heat illness in a written safety program shall provide training on the following topics to all supervisory and nonsupervisory employees who may be affected by issues relating to heat illness:

- (a) Working conditions that create the possibility that heat illness could occur, including:*
 - (1) Air temperature;*
 - (2) Relative humidity;*
 - (3) Radiant heat from the sun and other sources;*
 - (4) Conductive heat from the ground and other sources;*

- (5) The movement of air;*
 - (6) The severity and duration of workloads; and*
 - (7) Protective clothing and personal protective equipment worn by an employee.*
 - (b) The personal risk factors for heat illness.*
 - (c) The importance of frequent consumption of small quantities of water or liquids for the replacement of electrolytes when the work environment is hot and an employee is likely to be sweating more than usual in the performance of his or her duties.*
 - (d) The importance of acclimatization.*
 - (e) The different types of heat illness and the common signs and symptoms of heat illness.*
 - (f) The importance to an employee of immediately reporting to the employer, directly or through a supervisor for the employer, signs or symptoms of heat illness in the employee or in a coworker.*
 - (g) The employer's procedures for:*
 - (1) Responding to symptoms of possible heat illness, including how medical services will be provided should they become necessary;*
 - (2) Compliance with the requirements of paragraphs (a) and (b) of 29 C.F.R. § 1910.151, including procedures for contacting emergency medical services and, if necessary, transporting an employee to a location where the employee can be reached by a provider of emergency medical services; and*
 - (3) Ensuring that, in the event of an emergency, clear and precise directions to the work site can and will be provided as needed to emergency responders.*
- 2. Before assigning a supervisor to supervise employees working in the heat, an employer shall provide the supervisor with training on the following topics:*

(a) The information which is required to be provided to the supervisor pursuant to subsection 1.

(b) The procedures which the supervisor is to follow:

(1) To implement the applicable provisions of subsection 1; and

(2) When an employee exhibits symptoms consistent with possible heat illness, including procedures for responding to an emergency.

Sec. 9. *If an employee shows signs of heat illness or demonstrates symptoms of heat illness, his or her employer must:*

1. Relieve the employee from duty;

2. Provide the employee with means to reduce his or her body temperature; and

3. Monitor the employee to determine whether medical attention is necessary.