

**PROPOSED REGULATION OF THE  
LABOR COMMISSIONER**

**LCB File No. R022-06**

March 21, 2006

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

AUTHORITY: §1, NRS 338.012 and 338.040.

A REGULATION relating to labor; deleting the definition of “supplier”; and providing other matters properly relating thereto.

**Section 1.** NAC 338.009 is hereby amended to read as follows:

338.009 1. As used in NRS 338.040, the Labor Commissioner will interpret:

(a) “Employed at the site of a public work” to mean the performance of work in the execution of a contract for a public work at the physical place or places at which the work is performed or at which a significant portion of the public work is constructed, altered or repaired if such place is established specifically for the execution of the contract for the public work or dedicated exclusively, or nearly so, to the execution of the contract for the public work.

(b) “Necessary in the execution of the contract for the public work” to mean the performance of duties required to construct, alter or repair the public work and without which the public work could not be completed.

2. As used in this section ~~⌘~~:

~~—(a) “Site”~~, “*site* of a public work” includes job headquarters, a tool yard, batch plant, borrow pit or any other location that is established for the purpose of executing the contract for the public work or that is dedicated exclusively, or nearly so, to executing the contract for the public

work. The term does not include a permanent home office, branch plant establishment, fabrication plant, tool yard or any other operation of a contractor, subcontractor or supplier if the location or the continued existence of the operation is determined without regard to a particular public work.

~~[(b) "Supplier" has the meaning ascribed to it in NRS 338.450.]~~