

**LCB File No. R141-09**

**PROPOSED REGULATION OF THE  
DIVISION OF INDUSTRIAL RELATIONS OF  
THE DEPARTMENT OF BUSINESS AND INDUSTRY**

**AUTHORITY:** Assembly Bill 148 (2009)

**Section 1.** Chapter 618 of NAC is hereby amended by adding thereto the provisions set forth in sections 2 to 14, inclusive, of this regulation.

**Sec. 2.** *As used in sections 13 and 14, unless the context otherwise requires, the word and terms defined in sections 3 to 12, inclusive, of this regulation have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Approved OSHA-10 course” means an OSHA-10 course taught by a trainer that meets or exceeds the current guidelines issued by the Occupational Safety and Health Administration of the United States Department of Labor, including, without limitation, federal safety and health regulatory requirements specific to the industry in which the employer participates.*

**Sec. 4.** *“Approved OSHA-30 course” means an OSHA-30 course taught by a trainer that meets or exceeds the current guidelines issued by the Occupational Safety and Health Administration of the United States Department of Labor, including, without limitation, federal safety and health regulatory requirements specific to the industry in which the employer participates.*

**Sec. 5.** *“Approved OSHA-10 alternative course” means a 10-hour course offered to an employee that:*

- (1) Is approved by the safety committee of the employer established pursuant to NRS 618.383; and*

*(2) Meets or exceeds the current guidelines issued by the Occupational Safety and Health Administration of the United States Department of Labor, including, without limitation, federal safety and health regulatory requirements specific to the industry in which the employer participates.*

**Sec. 6.** *“Approved OSHA-30 alternative course” means a 30-hour course offered to an employee that:*

*(1) Is approved by the safety committee of the employer established pursuant to NRS 618.383; and*

*(2) Meets or exceeds the current guidelines issued by the Occupational Safety and Health Administration of the United States Department of Labor, including, without limitation, federal safety and health regulatory requirements specific to the industry in which the employer participates.*

**Sec. 7.** *“Approved OSHA-10 continuing education course” means a 5-hour training course offered to an employee that meets or exceeds the current guidelines for OSHA-10 training courses issued by the Occupational Safety and Health Administration of the United States Department of Labor, including, without limitation, federal safety and health regulatory requirements specific to the industry in which the employer participates.*

**Sec. 8.** *“Approved OSHA-30 continuing education course” means a 15-hour training course offered to an employee that meets or exceeds the current guidelines for OSHA-30 training courses issued by the Occupational Safety and Health Administration of the United States Department of Labor, including, without limitation, federal safety and health regulatory requirements specific to the industry in which the employer participates.*

**Sec. 9.** *“Construction work” means work performed by a construction worker.*

**Sec. 10.** *“Construction Worker” has the meaning ascribed to it in Section 3.5 of Assembly Bill 148 (2009).*

**Sec. 11.** *“Trainer” has the meaning ascribed to it in Section 8 of Assembly Bill 148 (2009).*

**Sec. 12.** *“Valid completion card” means an unexpired completion card issued to an employee for an approved OSHA-10 or OSHA-30 course. A completion card expires 5 years after the date it was issued unless it is renewed. The employee may renew his completion card by completing an approved OSHA-10 or OSHA-30 continuing education course prior to expiration. A completion card for an approved OSHA-10 or OSHA-30 course may be renewed once.*

**Sec. 13.** *1. Except as otherwise provided in this section, all employees engaged in construction work must provide their employer with a valid completion card within 15 days of their date of hire. If an employee has been provided with an approved OSHA-10 or OSHA-30 continuing education course, the employee must also provide his employer with written proof of course completion.*

*2. As an alternative to a valid completion card, an employer may provide an employee with approved OSHA-10 or OSHA-30 alternative course. If an employer elects to provide an employee with an approved OSHA-10 and OSHA-30 alternative course, the course must be completed within 15 days of his date of hire.*

*3. An employer may provide an approved OSHA-10 and OSHA-30 continuing education course to an employee who has a valid completion card which has not been renewed.*

*4. The employer who provides either approved OSHA-10 or OSHA-30 alternative or continuing education courses must provide each employee, and the Division on request, with written proof of course completion. The employer must retain a copy of each employee’s proof*

*of completion for the approved OSHA-10 or OSHA-30 alternative courses for a least one year. Proof of completion for approved OSHA-10 or OSHA-30 continuing education courses must be retained for at least five years.*

**Sec. 14. 1.** *All approved courses must be conducted in a language and format understandable to each employee in accordance with NRS 618.383(4).*

*2. An employer may elect to pay for an approved OSHA-10 or OSHA-30 course or time off from work for an employee, but is not required to do so.*

**Sec. 15.** *Sections 1 through 14, inclusive, expire by limitation on December 31, 2010.*

**Sec. 16.** **Chapter 618 of NAC** is hereby amended by adding thereto the provisions set forth in sections 17 to 27, inclusive, of this regulation.

**Sec. 17.** *As used in sections 26 and 27, unless the context otherwise requires, the word and terms defined in sections 18 to 25, inclusive, of this regulation have the meanings ascribed to them in those sections.*

**Sec. 18.** *“Approved OSHA-10 course” means an OSHA-10 course taught by a trainer which meets or exceeds the current guidelines issued by the Occupational Safety and Health Administration of the United States Department of Labor, including, without limitation, federal safety and health regulatory requirements specific to the industry in which the employer participates.*

**Sec. 19.** *“Approved OSHA-30 course” means an OSHA-30 course taught by a trainer which meets or exceeds the current guidelines issued by the Occupational Safety and Health Administration of the United States Department of Labor, including, without limitation, federal safety and health regulatory requirements specific to the industry in which the employer participates.*

**Sec. 20.** *“Approved OSHA-10 continuing education course” means a 5-hour training course offered to an employee that meets or exceeds the current guidelines for OSHA-10 training courses issued by the Occupational Safety and Health Administration of the United States Department of Labor, including, without limitation, federal safety and health regulatory requirements specific to the industry in which the employer participates.*

**Sec. 21.** *“Approved OSHA-30 continuing education course means a 15-hour training course offered to an employee that meets or exceeds the current guidelines for OSHA-30 training courses issued by the Occupational Safety and Health Administration of the United States Department of Labor, including, without limitation, federal safety and health regulatory requirements specific to the industry in which the employer participates.*

**Sec. 22.** *“Construction work” means work performed by a construction worker.*

**Sec. 23.** *“Construction Worker” has the meaning ascribed to it in Section 3.5 of Assembly Bill 148 (2009).*

**Sec. 24.** *“Trainer” has the meaning ascribed to it in Section 8 of Assembly Bill 148 (2009).*

**Sec. 25.** *“Valid completion card” means an unexpired completion card issued to an employee for an approved OSHA-10 or OSHA-30 course. A completion card expires 5 years after the date it was issued unless it is renewed. The employee may renew his completion card by completing an approved OSHA-10 or OSHA-30 continuing education course prior to expiration. A completion card for an approved OSHA-10 or OSHA-30 course may be renewed once.*

**Sec. 26. 1.** *All employees engaged in construction work are required to provide their employer with a valid completion card within 15 days of their date of hire. If an employee has*

*been provided with an approved OSHA-10 or OSHA-30 continuing education course, the employee must also provide his employer with written proof of course completion.*

*2. An employer may provide an approved OSHA-10 and OSHA-30 continuing education course to an employee who has a valid completion card which has not been renewed.*

*3. The employer who provides approved OSHA-10 or OSHA-30 continuing education courses must provide to each employee, and the Division on request, written proof of course completion. The employer must retain a copy of each employee's proof of completion for at least five years.*

**Sec. 27. 1.** *All approved courses must be conducted in a language and format understandable to each employee in accordance with NRS 618.383(4).*

*2. An employer may elect to pay for an approved OSHA-10 or OSHA-30 course or time off from work for an employee, but is not required to do so.*

**Sec. 28.** *Sections 16 through 27, inclusive, become effective on January 1, 2011.*