



**DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INDUSTRIAL RELATIONS
OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION**

April 23, 2020

To Whom It May Concern,

Scope: Updated Guidance for Essential Businesses

This letter is an update to guidance released on April 14, 2020 for essential businesses. On April 8, 2020 the Governor of Nevada announced the release of Declaration of Emergency Directive #013 to further the fight against the spread of Coronavirus – 19. Section 5 of Directive #013 sets specific responsibilities for Nevada’s Occupational Safety and Health Administration (NV OSHA) in the battle against this public health crisis. Section 5 of this Directive states:

“The Nevada Occupational Safety and Health Administration of the Division of Industrial Relations shall ensure that businesses continuing operations during the state of emergency provide adequate protections to their workers and adopt sanitation protocols that minimize the risk of spread of COVID-19 among their workforce.”

To accomplish these responsibilities NV OSHA is providing this memorandum, and the recommendations found within, for essential businesses that remain open. The measures contained in the document are recommended of each business and should be applied to all employees of that business. As we battle the coronavirus pandemic, this guidance may continue to evolve.

The NV OSHA recommendations/guidance for all essential businesses includes, but is not limited to, the following:

General Operations:

- ▶ Prohibit gatherings of 10 or more people. (**Required**/Ref. Declaration of Emergency Directive #007, Section 1)
- ▶ Promote frequent and thorough hand washing, including providing workers, customers, and worksite visitors with a place to wash their hands. If soap and running water are not immediately available, provide alcohol-based hand rubs containing at least 60% alcohol. (**Required**/Ref. Declaration of Emergency Directive #003)
- ▶ Provide face masks to service runners who deliver ordered materials to curbside pick-up locations, attend to drive through windows, or any other immediately exposing tasks. (**Recommended**/ Ref. Federal OSHA Guidance for Retail Workers (OSHA 3996))
- ▶ Maintain regular housekeeping practices, including routine cleaning and disinfecting of surfaces and equipment with Environmental Protection Agency-approved cleaning chemicals from List N or that have label claims against the coronavirus. See:

<https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2>
(Required/Ref. Declaration of Emergency Directive #003)

- ▶ Provide sanitation and cleaning supplies for addressing common surfaces in multiple user mobile equipment and multiple user tooling. Recommended based on the specifics of a business's services and procedures. (Ref. - Guidance on Preparing Workplaces for COVID-19, OSHA 3990-03 2020)
- ▶ Conduct daily surveys of changes to staff/labor health conditions. **NV OSHA is emphasizing the need for business leadership to be working with and aware of the health and well-being of its staff.** (Required/Ref. - Guidance on Preparing Workplaces for COVID-19, OSHA 3990-03 2020)
- ▶ Ensure that any identified first responders in the labor force are provided and use the needed Personal Protective Equipment (PPE) and equipment for protection from communicable or infectious disease. (Required/29 CFR 1910.1030)
- ▶ Provide access to potable and sanitary water (Required/29 CFR 1926.15 or 29 CFR 1910.141)

Social Distancing:

Declaration of Emergency Directive 003 allows for essential industries/businesses to continue operations, but requires employers to "maintain strict social distancing practices to facilitate a minimum of six feet of separation between workers." The following measures are recommended to be implemented by the employer when employees are conducting specific job functions where 6 feet of social distancing is infeasible/impractical.

- ▶ A Job Hazard Analysis (JHA) may be completed for each task, procedure, or instance that is identified where social distancing is infeasible/impractical. Any JHA drafted for this purpose must be equivalent in detail and scope as identified in Federal OSHA publication 3071. <https://www.osha.gov/Publications/osha3071.pdf>
- ▶ A JHA developed for this purpose must identify the task being addressed, hazard being addressed (spread of COVID-19), and controls to be used to address the hazard.
- ▶ Any policy, practice, or protocol developed pursuant to the JHA must be as effective or more effective as the 6 feet social distancing mandate in Declaration of Emergency Directive 003.
- ▶ Engineering controls, administrative controls, and PPE identified and developed through the JHA to address the hazard must be supplied by the employer.
- ▶ Training must be provided to staff for any policy, practice, or protocol that is used to address the hazard via a JHA.
- ▶ Training must be provided to staff for any equipment, engineered process, administrative control, or PPE that was identified and developed through the JHA to address the social distancing requirements or alternative policies, practices, or protocols implemented when social distancing is infeasible/impractical.

Social Distancing during breaks, lunches/dinners, and other slack periods:

NVOSHA is aware that social distancing requirements are not always followed by employees despite the efforts of the employer. The following measures are recommended for all essential businesses.

- ▶ Employers are recommended to monitor employees during break, lunch/dinner, and slack periods to ensure that they are maintaining proper social distancing protocols.
- ▶ If an employer representative identifies an instance where proper social distancing protocols are not being followed, the employee will be subject to the employer’s existing methods established for ensuring compliance with safety rules and work practices per NAC 618.540(1)(e).
- ▶ These observations apply to parking lots, staging areas, and any other location identified by the employer to be a supportive part of the overall business.

NVOSHA emphasizes that slowing/addressing the spread of COVID-19 is a required aspect of all activities/task/services associated with essential business sectors and will continue to enforce or promote the use of the identified measures to address this public health crisis.

NVOSHA seeks to ensure that all essential businesses implement the aforementioned mandates and also seeks to distribute this information so that essential sector businesses are fully aware of these requirements. If your business, group, or association is receiving this memo, then please recognize this memo as notice to your business, group, or association that the previously mentioned mandates and guidance may be adopted and put into effect.

For any further guidance use the following links:

Federal OSHA - <https://www.osha.gov/SLTC/covid-19/>

Federal OSHA Guidance for Retail Workers (OSHA 3996)
<https://www.osha.gov/Publications/OSHA3996.pdf>

Center for Disease Control and Prevention - <https://www.cdc.gov/coronavirus/2019-nCoV/index.html>

State of Nevada- <https://nvhealthresponse.nv.gov/>

Mine Safety and Health Administration: <https://www.msha.gov/msha-response-covid-19>

Nevada OSHA Information: <http://dir.nv.gov/OSHA/Home/>

THIS GUIDANCE IS SUBJECT TO REVISION AS ADDITIONAL INFORMATION IS GATHERED. PLEASE CHECK HERE FREQUENTLY FOR UPDATES.

Sincerely,
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