

STATE OF NEVADA

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

January 14, 2021

The Division of Industrial Relations has adopted adjustments to administrative penalties for violations of the Nevada Occupational Safety and Health Act. The penalty adjustments conform to changes in federal civil penalties issued by the federal Department of Labor's Occupational Safety and Health Administration, pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015. Nevada's state penalty changes were authorized by Senate Bill 40, which was passed during Nevada's 2019 legislative session. As a result, Nevada OSHA's administrative penalties will increase by 1.18%, effective immediately for any penalty assessed on or after January 15, 2021.

Nevada OSHA's penalties for violations of the Nevada Occupational Safety and Health Act:

- For willful violations, where Nevada OSHA demonstrates that an employer knowingly failed to comply with an OSHA standard or demonstrated a plain indifference for employee safety, the minimum penalty will remain at \$9,639 and the maximum penalty increases from \$134,937 to \$136,532;
- For repeated violations, penalties increase from \$134,937 to 136,532;
- Penalties for serious violations, where workplace hazards that could cause an injury or illness that would most likely result in death or serious physical harm, the maximum penalty increases from \$13,494 to \$13,653;
- For each other-than-serious violation, the maximum penalty increases from \$13,494 to \$13,653;
- In instances where employers were previously cited and failed to correct violations, the maximum penalty increases from \$13,494 to \$13,653; and
- For each posting requirement violation, the maximum penalty increases from \$13,494 to \$13,653.

About the Division of Industrial Relations:

The Nevada Division of Industrial Relations is the principal regulatory agency responsible for workplace safety and worker protections in the state of Nevada. Comprised of five sections – the Occupational Safety and Health Administration, the Worker's Compensation Section, the Mechanical Compliance Section, the Mine Safety and Training Section, and the Safety Consultation and Training Section – DIR works to protect Nevada's working men and women, and provides a broad scope of training and support to the regulated community. For more information please visit <http://dir.nv.gov>

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About Nevada OSHA:

Nevada OSHA operates as an approved state program as defined by section 18 of the Occupational Safety and Health Act of 1970 and is required by the Act to operate in a manner that is at least as effective as the federal OSHA enforcement program. Operating out of district offices in Las Vegas and Reno, Nevada OSHA conducts inspections and investigations intended to identify hazardous conditions which could harm Nevada’s workers and enforces state and federal laws protecting the state’s workers. From July 2019 – June 2020, Nevada OSHA conducted 714 inspections, issuing an average of 1.6 violations per inspection.

The Nevada State Plan, at the time of publication of this media release, is funded by a grant of \$1,602,700 federal funds, which constitutes 50 percent of the State Plan budget. Fifty percent, or \$1,602,700 of the State Plan budget, is financed through non-governmental sources.

For more information visit <http://dir.nv.gov/OSHA/>