



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

Date: June 7, 2024

To: Nevada Businesses

Re: Final Rule regarding the Worker Walkaround Representative Designation Process

On May 31, 2024, Nevada OSHA identically adopted Federal OSHA's Final Rule associated with the [Worker Walkaround Representative Designation Process](#), which went into effect on May 31, 2024. In this final rule, OSHA is amending its Representatives of Employers and Employees regulation (29 CFR 1903) to clarify that employee authorized representatives may be an employee of the employer or a third party.

When representative(s) authorized by employees are not employees of the employer, they may accompany Compliance Safety and Health Officers (CSHO) during the inspection if, in the judgment of the CSHO, good cause has been shown why accompaniment by a third party is reasonably necessary to the conduct of an effective and thorough physical inspection of the workplace. Good cause includes, but is not limited to their relevant knowledge, skills, or experience with hazards or conditions in the workplace or similar workplaces, or language or communication skills. ***The CSHO will evaluate situations in which employer representatives are individuals other than employees of the employer on a case-by-case basis*** to determine the necessity of their involvement during the walkaround.

Assistance Available from Nevada Safety Consultation and Training Section (SCATS)

SCATS is here to help. SCATS is focused on keeping Nevadans safe and healthy while on the job. SCATS offers resources for employers and employees alike, from training to consultation to safety program review. If your business has questions or needs onsite training or consultation, please submit a request by calling 877-472-3368 or submitting a consultation request at <https://www.4safenv.state.nv.us/contact/>.

How to File a Complaint

Employees who feel they have been exposed to a hazardous condition in the workplace, have the right to raise their concerns with their employer or to file a complaint with Nevada OSHA. Such a complaint may trigger an inspection of the workplace. An employee who raises concerns with their employer or files an OSHA complaint is protected against retaliation or discrimination for having done so by NRS 618.445 and section 11(c) of the federal Occupational Safety and Health Act, Pub. L. 91-596, 84 Stat. 1590. If an employee files a complaint with Nevada OSHA, their name and contact information will be held as confidential information pursuant to NRS 618.341(3)(a).

To file a complaint, please visit <https://www.osha.gov/workers/file-complaint> or call Nevada OSHA at (702) 486-9020 (southern Nevada) or (775) 688-3700 (northern Nevada).

References

- [Final Rule – Worker Walkaround Representative Designation Process](#)
- [29 CFR 1903 – Representatives of Employers and Employees](#)