

Nevada OSHA COVID 19 FAQ

Which types of employers does the OSHA guidance apply to? Does it apply to both public and private entities?

Nevada OSHA's COVID-19 mitigation guidance and requirements apply to all public sector employers at the state and local levels, and all private sector employers in the state, with the exception of private employers on tribal lands.

Now that counties have authority over COVID-19 mitigation efforts, do businesses still need to follow OSHA's guidance? Are businesses in some counties exempt?

Declaration of Emergency Directive #044, section 6 requires all employers to abide by all guidance promulgated by Nevada OSHA. Directive #044 section 7 requires Nevada OSHA to enforce both requirements of county plans, and of remaining statewide directives, guidance, protocols and regulations.

For gaming properties, do businesses only need to follow Gaming Control Board guidance?

No. All gaming employers not located on tribal lands are required to comply with all provisions of state and county directives, plans, guidance, protocols, and regulations applicable to their business operations, including but not limited to requirements established by the Gaming Control Board. Nevada OSHA has jurisdiction over workplace safety issues at gaming properties.

Can a business have different rules for face coverings for employees who are vaccinated vs. unvaccinated?

Yes. Guidance published by the Centers for Disease Control and Prevention (CDC) on May 13, 2021 – subsequently adopted by Nevada OSHA – makes distinctions between activities acceptable for fully vaccinated people vs. non-vaccinated people. Employers should evaluate their workplace for hazards associated with the spread of COVID-19 and make determinations regarding face covering use based on that job hazard analysis. [Refer to Nevada OSHA guidance published May 14, 2021](#)

Do employees need to wear face coverings if they are working outside with members of the public?

Employers must conduct a job hazard analysis to determine if face coverings need to be worn by employees to prevent the spread of COVID-19. [Refer to Nevada OSHA guidance published May 14, 2021](#)

Do employees need to wear face coverings if they are working outside alone?

Generally, no. However, all employers shall require unvaccinated employees to wear a face covering in any space visited by the general public, even if no one else is present. [Refer to Nevada OSHA guidance published May 14, 2021](#)

Do employees need to wear face coverings inside in common indoor areas such as conference rooms, break rooms, hallways, restrooms, etc.?

All employers shall require unvaccinated employees to wear a face covering in common indoor areas. For vaccinated employees, face coverings are not required in common areas unless the employer has identified that the hazard level requires all employees to wear face coverings in common areas. For example, an employer may choose to require face coverings for all employees if they come in contact with the public or unvaccinated employees on a regular or frequent basis.

Is it OK to remove plexiglass barriers that were installed during the pandemic?

Employers must evaluate their workplace to determine the appropriate methods to continue mitigation of the spread of COVID-19. Non-permeable barriers may continue to serve as a useful method to limit the spread of COVID-19.

Is the COVID-19 prevention plan mentioned in the OSHA guidance a new requirement?

The COVID-19 prevention plan is an extension of Nevada's longstanding requirements for employers to implement workplace safety programs to identify, analyze and control hazards in the workplace. The requirement for a COVID-19 specific plan builds on the same principles and was implemented to articulate the specific requirements for COVID-19 to be addressed as part of the employer's broader safety program.

What type of cleaning is required? Do the EPA List N products need to always be used?

Each employer will need to analyze the hazards to determine the type of cleaning needed. The CDC indicates that, when no people with confirmed or suspected COVID-19 are known to have been in a space, cleaning once a day is usually enough to sufficiently remove virus that may be on surfaces and help maintain a healthy facility. However, the CDC indicates that disinfectants on the EPA List N should be used in the following cases: high transmission of COVID-19 in your community; low number of people wearing masks; infrequent hand hygiene; or the space is occupied by certain populations, such as people at increased risk for severe illness from COVID-19.

Are employers required to perform temperature checks of employees or customers?

Prompt identification and isolation of potentially infectious individuals is a critical step in protecting employees, customers, visitors, and others in a business establishment. While temperature checks are not specifically required, Nevada OSHA expects employers to monitor employee health conditions by conducting daily surveys of changes to employee health conditions. Temperature checks

are a useful method of identifying potentially infectious people in the workplace and can serve as a method of screening for health issues.