

JOE LOMBARDO  
Governor

TERRY REYNOLDS  
Director

STATE OF NEVADA



VICTORIA CARREÓN  
Administrator

PERRY FAIGIN  
Deputy Administrator

DEPARTMENT OF BUSINESS AND INDUSTRY  
DIVISION OF INDUSTRIAL RELATIONS

NOTICE OF PUBLIC MEETING  
of the  
ADVISORY COUNCIL OF THE DIVISION OF INDUSTRIAL RELATIONS  
February 21, 2023  
11:00 a.m.

You are hereby given notice that the Advisory Council of the Division of Industrial Relations of the Department of Business and Industry, State of Nevada (Advisory Council) will conduct a public meeting on Tuesday, February 21, 2023, at 10:00 a.m. This meeting will be held at the following locations and on WebEx:

Division of Industrial Relations  
400 West King Street, Suite 400  
Carson City, NV 89703

Division of Industrial Relations  
3360 West Sahara Ave, Suite 250  
Las Vegas, NV 89102

**WebEx Access:**

<https://nvbusinessandindustry.webex.com/nvbusinessandindustry/j.php?MTID=m7d0862ce8386f5ffa4bcd808f6290779>

**To Join by Phone:**

1-415-655-0001

Access Code: **2451 932 2758**

Meeting Password: **fmBDM8cqY34**

**NOTICE**

1. Items listed on the Agenda may be taken out of order;
2. Two or more items on the Agenda may be combined;
3. Items of the Agenda may be removed or delayed at any time; and
4. Public comment may be limited to two (2) minutes per speaker in the discretion of the chair. No action may be taken on any matter raised during public comment. Public comment will not be restricted based on viewpoint, but must be relevant to, and within, the authority of the Advisory Council.

**AGENDA**

1. Call to Order; Roll Call; Introduction of Advisory Council members (Secretary); and establishment of a quorum.

CARSON CITY  
400 West King Street  
Suite 400  
Carson City, NV 89703  
(775) 684-7270

LAS VEGAS  
3360 West Sahara Avenue  
Suite 250  
Las Vegas, NV 89102  
(702) 486-9080

2. Public Comment (*see* Notice 4) (Secretary)
3. **FOR POSSIBLE ACTION:** Approval of Minutes from the January 10, 2023, meeting (Chair)
4. **FOR DISCUSSION:** Discussion and recommendations to the Division of Industrial Relations on regulations under its jurisdiction that could be streamlined, clarified, reduced, or otherwise improved for the general welfare of the State without unnecessarily inhibiting economic growth. (Executive Order 2023-03(2)).
5. **FOR DISCUSSION:** Discussion and recommendations to the Division of Industrial Relations regarding regulations under its jurisdiction that could be removed and to rank them in descending order or priority. (Executive Order 2023-03(2))
6. Public Comment (*see* Notice 4) (Chair)
7. Adjournment. (Chair)

Any person with a disability as defined by the Americans with Disabilities Act who requires special assistance to participate in the meeting may contact, at least five (5) business days prior to the meeting, Marisa Santizo by emailing [ADACoordinator@dir.nv.gov](mailto:ADACoordinator@dir.nv.gov), or by calling (702) 486-9100 to arrange for reasonable accommodations.

Copies of the supporting (not privileged and confidential) material may be obtained upon request by emailing [MSantizo@dir.nv.gov](mailto:MSantizo@dir.nv.gov), calling Marisa Santizo at (702) 486-9100, or mailing a request to the Division of Industrial Relations, 3360 West Sahara Avenue, Suite 250, Las Vegas, NV 89102, Attention Marisa Santizo.

This Notice and Agenda has been posted at the following locations:

- Division of Industrial Relations, 3360 West Sahara Avenue, Suite 250, Las Vegas, Nevada 89102
- Division of Industrial Relations, 400 West King Street, Suite 400, Carson City, Nevada 89703

This Notice and Agenda has also been posted at the following website addresses:

- Division of Industrial Relations Notice of Meeting at <http://dir.nv.gov/meetings/meetings>
- Nevada Public Notices at <https://notice.nv.gov>

**DIVISION OF INDUSTRIAL RELATIONS ADVISORY COUNCIL  
Minutes of the Meeting, Tuesday, January 10, 2023**

**1. Call to Order and Roll Call**

At 10:00 a.m. on January 10, 2023, the meeting of the Advisory Council for the Division of Industrial Relations (DIR) via WebEx was called to order by DIR Administrator Victoria Carreon. Roll Call was taken by Marisa Santizo.

The board members present (via WebEx): Ian Langtry, Paul McKenzie, Susan Martinez, Robert Benner, Vince Saavedra, Jeff Seavey, and Maureen Ostby. It was determined a quorum was present.

DIR staff that were present (via WebEx): Victoria Carreon, Marisa Santizo, Todd Schultz, Brennan Paterson, Valerie Hall, William (Bill) Gardner, Christopher Eccles, and Rodney Neils.

**2. Public Comment** on items to which actions may be taken

No items for public comment were raised.

**3. Introduction of Division of Industrial Relations staff and Advisory Council members**

DIR staff introduced themselves to the new board members as Victoria Carreon, Administrator, Marisa Santizo, Administrative Assistant IV, Todd Schultz, SCATS CAO, Brennan Paterson, MCS CAO, Valerie Hall, WCS CAO, William (Bill) Gardner, OSHA CAO, Christopher Eccles, Senior Attorney, and Rodney Neils, MSATS Safety Manager. Board members then introduced themselves as Ian Langtry, with Tesla, Paul McKenzie, representing general public, Susan Martinez, with AFL-CIO, Robert Benner, with Northern Nevada Building Trades, Vince Saavedra, with Southern Nevada Building Trades Union, Jeff Seavey, with Caesars, and Maureen Ostby, with Kone Inc.

**4. Selection of Chair and Vice Chair for 2023 term:**

- a. Vince Saavedra nominated Paul McKenzie as Chair, seconded by Robert Benner. The motion was approved unanimously.
- b. Robert Benner nominated for Vice Chair by Vince Saavedra, seconded by Susan Martinez. The motion was approved unanimously.

**5. Approval of Minutes of Previous Meeting – October 17, 2022.**

Vince Saavedra made a motion to approve the minutes of the October 17, 2022, meeting as presented. Robert Benner seconded the motion. The motion was approved unanimously.

**6. DIR 2022 Accomplishments and Key Issues**

- a. **Administrator's Updated** (Victoria Carreon)  
Administrator Carreon discussed major accomplishments of 2022 and major priorities of 2023. The Division is working on increasing salaries and adding positions to help with recruitment in 2023.
- b. **Mechanical Compliance Section-MCS** (Brennan Paterson)

Brennan Paterson disclosed the number of permits issued by MCS and an update on procedure development.

- c. **Mine Safety and Training Section-MSATS** (Rodney Neils)  
Rodney Neils gave an update on the Mine Safety and Training Sections inspections and training accomplishments.
  - d. **Occupational Safety and Health Administration-OSHA** (William “Bill” Gardner)  
William addressed the key issues in OSHA and mentioned the accomplishments of 2022.
  - e. **Safety Consultation and Training Section-SCATS** (Todd Schultz)  
Todd shared the accomplishments for SCATS.
  - f. **Worker’s Compensation-WCS** (Valerie Hall)  
Valerie spoke about important meetings/conferences attended in 2022. She also explained current WCS challenges due to the pandemic.
- 7. Write-off Recommendations**  
DIR Administrator Victoria Carreon spoke about delinquent debts, the total being 1,698,330.17 million. The largest portion of the debt being from Uninsured Employers’ Claim Account (UECA) because of “cleanup work”; this will not have any fiscal effect or negative impact on the state. Victoria also mentioned Implementation of AB482 (Controller’s Office), where a business license with the Secretary of State gets suspended if there is delinquent debt.  
Robert Benner made a motion to approve the write-off of delinquent debts. Vince Saavedra seconded the motion. The motion was approved unanimously.
- 8. Regulations Update**
- a. **Mechanical Compliance Section-MCS** (Brennan Paterson)  
Brennan addressed regulation updates for R034-21RP1 a cleanup regulation including certification requirements to do construction and alterations on an elevator and timeline with compliance with safety requirements. Christopher Eccles announced a regulation hearing is scheduled for R034-21RP1 on 2/14/2023 and encouraged public comments.
  - b. **Occupational Safety and Health Administration-OSHA** (William “Bill” Gardner)  
Bill addressed regulation updates for R053-20RA related to heat illness.
  - c. **Worker’s Compensation-WCS** (Valerie Hall)  
Valerie presented two regulation updates for R134-20RA and R032-21RP2.
- 9. Review and comments on OSHA quarterly complaint reports July – September 2022 (NRS 618.336 and NRS 232.600) (William Gardner)**  
No questions or comments.
- 10. Review of OSHA quarterly reports on violations of NRS 618.375 July- September 2022 (NRS 618.347) (William Gardner)**  
No questions or comments.

**11. Discussion of items requested for follow-up from October 17, 2022, meeting: (William Gardner)**

- a. **City of Sparks firefighter staffing and safety concerns:** This matter has been opened for two months now and Mr. Gardner is hoping to close in the next couple of weeks. He will be able to provide more updates once the investigation is closed.

**12. Agenda items for next scheduled meeting. (Chair)**

Paul McKenzie requested adding an item to the agenda addressing any updates on the City of Sparks firefighter staffing and safety concerns.

**13. Discussion on possible investigations or studies to be conducted (NRS 232.600). (Chair)**

No recommendations at this time.

**14. Public Comment**

Jarrod Stewart, a representative for Sparks Firefighters, explained that two people were commended after violating the two in and two rule when they've never received training on how to deal with three person staffing. He also noted that he received a docked and dismissed notification from the whistleblower division stating that his complaint regarding the Sparks City police department coming to his home to get a police statement regarding a firefighter falling down at station one. Jarrod has made complaints that the police chief, fire chief and city manager were involved and is outside of policy and his complaint was dismissed.

**15. Adjournment:**

Motion to adjourn at 11:56 am by Vince Saavedra and seconded by Robert Benner. The motion was approved unanimously.

**JOE LOMBARDO**  
*Governor*

**STATE OF NEVADA**

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**DEPARTMENT OF BUSINESS AND INDUSTRY  
DIVISION OF INDUSTRIAL RELATIONS**

**MISSION STATEMENT**

To uphold the highest standards of health and safety services to all of Nevada’s employees and the general public by providing outstanding workplace safety consultation, technical assistance and employee training and confirming that injured employees are properly cared for following a workplace accident or disease, through consistent enforcement and meaningful consultative support to businesses.

**The Division of Industrial Relations includes the following sections:**

- BA4680: Workers’ Compensation Section/ Legal/ Administration
- BA4682: Nevada Occupational Safety and Health Administration
  - BA4682: Mechanical Compliance Section
- BA4685: Safety Consultation and Training Section
- BA4686: Mine Safety and Training Section

**STATUTORY AUTHORITY:  
NEVADA REVISED STATUTES (NRS)**

- NRS 616A – Industrial Insurance: Administration
- NRS 616B – Industrial Insurance: Insurers; Liability for Provision of Coverage
- NRS 616C – Industrial Insurance: Benefits for Injuries or Death
- NRS 616D – Industrial Insurance: Prohibited Acts; Penalties: Prosecution
- NRS 617 – Occupational Diseases
- NRS 618 – Occupational Safety and Health
- NRS 512 – Inspection and Safety of Mines
- NRS 455C – Boilers, Elevators and Pressure Vessels

**REGULATORY AUTHORITY:  
NEVADA ADMINISTRATIVE CODE (NAC)**

- NAC 616A – Industrial Insurance: Administration
- NAC 616B – Industrial Insurance: Insurers; Liability for Provision of Coverage
- NAC 616C – Industrial Insurance: Benefits for Injuries or Death
- NAC 616D – Industrial Insurance: Prohibited Acts; Penalties: Prosecution
- NAC 617 – Occupational Diseases
- NAC 618 – Occupational Safety and Health
- NAC 512 – Inspection and Safety of Mines
- NAC 455C – Boilers, Elevators and Pressure Vessels

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