

STEVE SISOLAK
Governor

STATE OF NEVADA

VICTORIA CARREÓN
Administrator

TERRY REYNOLDS
Director



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
October 12, 2021
10:00 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, October 12, 2021 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=m8678bedd4750d64b131eae4331018100>

To Join by Phone:

1-415-655-0001

Access Code: 2460 258 6725

Meeting Password: Council1021

The sites will be connected by videoconference. The public is invited to attend and participate at either location or on WebEx. **Face coverings are required for anyone participating in person, regardless of vaccination status.**

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) (Chair)
3. **FOR POSSIBLE ACTION:** Approval of Minutes from the July 14, 2021 meeting (Chair)
4. Introductions of new OSHA Chief Administrative Officer and Senior Division Counsel (Victoria Carreón)
5. **FOR DISCUSSION:** Regulations Update (Christopher Eccles, Brennan Paterson, William Gardner, Chuck Verre)
 - a) Mechanical Compliance Section
 - 1) [R033-21I](#) – Implementation of SB205 provisions related to water heaters
 - 2) [R034-21I](#) – Clean-up regulation, including certification requirements to do construction and alterations on an elevator.
 - b) OSHA
 - 1) [R053-20RP1](#) – Heat Illness
 - 2) [R069-20P](#) – OSHA Penalty Reduction Factors and other clean-up
 - 3) [R044-20RP2](#) – Violence in Medical Facilities
 - c) Workers’ Compensation
 - 1) [R134-20I](#) – Workers’ Compensation SB381 changes from 2019 Legislative Session
 - 2) [R032-21I](#) – Workers’ Compensation SB289 changes from 2021 Legislative Session
6. **FOR DISCUSSION:** Workers’ Compensation Form updates from SB289 (Chuck Verre)
 - a) [C-4 Employee's Claim for Compensation - Report of Initial Treatment \(8/21\)](#)
 - b) [C-4 Fillable Form \(8/21\)](#)
 - c) [C-4A Release of Medical and Other Information For Nevada Workers’ Compensation Claims 8/21](#)
 - d) [D-10\(a\) Election of Method of Payment of Compensation \(8/21\)](#)
 - e) [D-10\(b\) Election of Method of Payment of Compensation for Disability Greater Than 30 Percent \(8/21\)](#)
 - f) [D-11 Reaffirmation - Retraction of Lump Sum Request \(8/21\)](#)
7. **FOR DISCUSSION:** Review and comments on OSHA quarterly complaint report April – June 2021 (NRS 618.336 and NRS 232.600) (William Gardner)
8. **FOR DISCUSSION:** Review of OSHA quarterly report on violations of NRS 618.375 April – June 2021 (NRS 618.347) (William Gardner)
9. **FOR DISCUSSION:** Worker safety issues for the underground tunneling project for the Encore, Convention Center, Resorts World and 28-mile loop on Las Vegas Blvd. (William Gardner)
10. **FOR DISCUSSION:** Development of worker safety standards during periods of hazardous air quality due to wildfires (William Gardner)
11. **FOR DISCUSSION:** Agenda items for next scheduled meeting. (Chair)
12. **FOR POSSIBLE ACTION:** Discussion on possible investigations or studies to be conducted (NRS 232.600). (Chair)
13. Public Comment (*see* Notice 4) (Chair)
14. 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, Amanda Guimont by emailing 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 AGuimont@dir.nv.gov, calling Amanda Guimont 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 Amanda Guimont.

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, Wednesday, July 14,2021

1. Call to Order and Roll Call

At 10:00 a.m. on July 14, 2021, the meeting of the Advisory Council for the Division of Industrial Relations (DIR) via videoconference between Las Vegas DIR and Carson City DIR office was called to order by chairman Paul McKenzie. Roll Call was called by Amanda Guimont.

Council members present in the Las Vegas office were Rusty McAllister and William Stanley. Paul McKenzie was present in the Carson City office. Ian Langtry and William Spiegel attended via WebEx. It was determined a quorum was present.

DIR staff present at the Las Vegas Office were Victoria Carreon, Chuck Verre, Brennan Paterson, Todd Schultz, Donald C. Smith and Amanda Guimont. Jeff Bixler was present in the Carson City office. Perry Faigin, Nick LaFronz, Jacob La France and Jimmy Andrews attended via WebEx. Karissa Neff from the Attorney's General's Office was also present at the Las Vegas office.

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

No items for public comment were raised.

3. Approval of Minutes of Previous Meeting – April 07 ,2021. Bill Stanley made a motion to approve the minutes of the April 07,2021 meeting as presented. Raymond McAllister seconded the motion. The motion was approved unanimously.

4. Status of review of outstanding debt referred to Controller's Office

Victoria Carreón, Administrator, provided a status of the outstanding debt being reviewed by the Controller's Office. The Controller's Office would like to do write off's once per year, so a list of debts for write off will be presented at the meeting in January. The Controller's Office is still analyzing the write-offs forwarded to them by the Department of Business and Industry Fiscal office in April 2021. There were differences between how the Fiscal office and the Controller's Office were tracking the debt that need to be resolved. The amount will be higher than in past years because old debt was not consistently being written off in the past.

5. Legislation Update (Don Smith)

- a) AB 249- Construction Start times. Revision to NRS Chapter 116, which prohibits common interest communities from adopting more prohibitive restrictions than the local jurisdiction for when construction can start.
- b) AB 482 - Suspension of business licenses for companies that have debt referred to the Controller's Office. Don Smith thanked Raymond McAllister for assisting with passing this bill.
- c) SB55 – Transfer of employee leasing companies to the Labor Commissioner. Mr. Stanley stated that it made sense to place this oversight under the Labor Commissioner to ensure that employees are truly employees, and that Workers' Compensation is truly being covered.
- d) SB122 – Requiring OSHA 10/30 cards for the cannabis industry, effective on July 1, 2021.
- e) SB205 – Regulatory exemptions for certain types of boilers. This bill exempts single tankless water heaters from regulation, which will require additional regulations and creates issues for the division. Brennan Paterson explained that the concern is that many of these units are

being combined in rack systems. Victoria Carreon clarified that we won't be able to regulate the water heaters, but we can regulate the connections between them and to other things.

- f) SB289 – Amends NRS by adding provisions on apportioning Partial Permanent Disability (PPD) ratings; authorizing service of acceptance/denial determination by electronic means; authorizing recovery of claimant's attorney's fees and costs; and requiring payment of PPD installment payments if claimant makes no election.
- g) SB295 – There are police officers and fire fighters that end up with statutory Permanent Total Disability because they are unable to perform their current positions. They can now be employed and not lose their Permanent Total Disability benefits.

6. Regulations Update (Don Smith)

- a) R053-20P – Heat Illness. Currently we are reworking this regulation based on a discussion we had and information we received at the Adoption Hearing. Victoria Carreon discussed that other options are being considered that will make it easier for employers to implement the standards.
- b) R069-20P – OSHA cleanup regulation. It has a number of requirements. It was filed with the LCB in June of last year. We got it back in January. We workshopped it and we have sent in proposed revised language to the LCB. We are not going to have a hearing on this one until we have revised language back from the legislative counsel.
- c) R044-20RP1 – Medical Workplace Violence. We workshopped it in March of 2021, and based on the comments we received at that time we have revised it and forwarded it to LCB. This grew out of legislation from the 2019 session.
- d) R134-20 – Workers' Compensation. Originally sent to the Legislative Counsel Bureau on July 6 and got it back on July 9, one year later. It is something that we have not internally had an opportunity to analyze or see whether it reflects our intentions.
- e) R048-20I – OSHA 10/30 Training requirements for construction, entertainment industries and convention services has been out, approved and adopted as of January 2021.

7. Review and comments on OSHA quarterly complaint report.

Victoria introduced Nick LaFronz as Southern OSHA'S District Manager and Jacob La France as Northern OSHA'S District Manager. Victoria Informed attendees that both are attending virtually and available for any questions. Paul McKenzie asked if OSHA ever reaches out to other jurisdictions when complaints apply to OSHA but also apply to another jurisdiction? Jacob La France informed attendees that in general they do their best to communicate with other agencies if they believe they have some overlap or can address an issue we cannot.

8. Review of OSHA quarterly report on violations

Victoria informed the Advisory Council that this is the required report on general duty citations, and that Nick LaFronz and Jacob La France are available to answer any questions. There were no questions.

9. Worker safety issues for the underground tunneling project for the Encore, Convention Center, Resorts World and 28-mile loop on Las Vegas Blvd.

Nick LaFronz informed attendees that right now based on the most recent check, OSHA does not have any active complaints or inspections for the underground tunneling project. A pre-

construction meeting with the contractor was performed in May, 2021. They discussed the contents of the pre-construction notification, and it was a productive discussion. William Stanley read that they would use the excavated materials in the pre-casting of the inner tunnel lining. This would make it a mining operation, and not an OSHA operation. Bill Stanley would like to know if it would be regulated by OSHA or MSHA. Nick LaFronz stated that it's something that we can get some information about and get clarification on who would have authority on the project. Bill Stanley voiced his concern about what standard they are going to be constructed under, as this would change requirements for personal protective equipment and rescue plans. Paul McKenzie questioned if the county has not approved the project, then how did we have a pre-construction meeting. Nick LaFronz stated he cannot speak on the county approval. As far as the pre-construction meeting goes, it is something that is handled at the OSHA level around the time project is starting or us being notified of the project to be scheduled. Paul McKenzie recommends that we get clarification if they are going to reuse material out of that and if that is the case, they need to apply for a mining permit. Jeff Bixler stated that he would reach out to Federal MSHA. Ian Langtry stated that there is a Federal OSHA and MSHA Memorandum of Understanding (MOU) that is used to determine jurisdiction. It covers specifically whether materials are pulled out of the ground and how they are utilized and whether the project is still under OSHA's jurisdiction. Don Smith asked Ian Langtry to share the MOU with him and Don Smith agreed to distribute it to members of the board.

10. Certification requirements of Elevator Constructors, Mechanics, Apprentices, and helpers.

Brennan Paterson, Chief Administrator Officer of the Mechanical Compliance Section went over Nevada Administrative Code 455C, which requires that anybody who installs, constructs, alters or repairs an elevator must be certified as an elevator mechanic. Elevator mechanics may be assisted by elevator mechanic apprentices or helpers. Brennan Paterson went over the requirements to obtain a certification for elevator mechanics and work cards for apprentices and helpers. William Stanley thanked Brennan Paterson for the meetings and his work on this.

11. Agenda items for next scheduled meeting.

- a) Report from OSHA on the underground tunneling project for the Encore, Convention Center, Resorts World and 28-mile loop on Las Vegas Blvd.
- b) Report from the Division on the status of the heat stress regulation
- c) Report from the Division on the status of regulations on certification requirements to do construction and alterations on an elevator.

12. Discussion on possible investigations or studies to be conducted.

None

13. Public Comment

No Comment

14. Adjournment

Motion to adjourn at 11:00AM by Bill Stanley and seconded by Rusty McAllister.

State of Nevada
Division of Industrial Relations
Nevada Occupational Safety Health Administration
Agenda Item 7 - Quarterly Oral Complaint Report

UPA #	Establishment Name	DBA	UPA Receipt Date	Receipt Type	Letter of Inquiry	Inspection	UPA Open/Closed	Severity-Subject	Hazard Desc & Location	Inspection Results / Comments
C-1753180	WALMART SUPERCENTER		04/05/2021	Phone	Y	N	Closed	S-Safety	1. Emergency exit is currently blocked by pallets, a ladder, and miscellaneous items in the general merchandising room by the cardboard compactor.	Resolved through inquiry process.
C-1753626	Walmart Fulfillment Center		04/06/2021	Hotline	Y	N	Closed	S-Safety	1. Employees are experiencing electric shocks coming from the floor of the outbound dock.	Resolved through inquiry process.
C-1753790	LIBERTY FOOD AND WINE EXCHANGE		04/02/2021	Phone	Y	N	Closed	S-Health	1. Failure to comply with the mandate for employees to wear face coverings. Employees who work or interact in back-of-house areas are not wearing face coverings. 2. Failure to comply with social distancing measures by maintaining a minimum six-foot distance between employees in public spaces. Employees who attend training or staff meetings are not adequately social distancing or given the space to do so.	Resolved through inquiry process.
C-1756806	WALMART SUPERCENTER		04/13/2021	Phone	Y	N	Closed	S-Safety	1. An emergency exit is currently blocked with pallets, in the general merchandise warehouse, by the box compactor. 2. The hallway by the timeclocks and employee lockers has pallets being stored there, limiting egress to approximately 2 feet.	Resolved through inquiry process.
C-1758577	TRIAD ENTERPRISES, INC.	TRIAD TECHNOLOGIES	04/16/2021	Phone	Y	N	Closed	S-Health	1. Failure to comply with the mandate for employees to wear face coverings. 2. Employees with potential exposure to COVID-19 and/or having symptoms are allowed to come into work.	Resolved through inquiry process.
C-1758591	UPS		04/15/2021	Phone	Y	N	Closed	S-Health	On April 14, 2021, in Area PD1, Door 167; an employee loading a trailer was required to enter a trailer where there was a powdery white substance. The employee was having problems breathing and had watery eyes. The employee was provided an N-95 dust mask. The trailer was not cleaned, and the employee continue to load the trailer.	Resolved through inquiry process.
C-1758754	TRIAD ENTERPRISES, INC.	TRIAD TECHNOLOGIES	04/19/2021	Phone	Y	N	Closed	S-Health	1. Failure to comply with the mandate for employees to wear face coverings. 2. Failure to comply with social distancing measures by maintaining a minimum six-foot distance between employees in public spaces.	Resolved through inquiry process.
C-1759956	TRIAD ENTERPRISES, INC.	TRIAD TECHNOLOGIES	04/22/2021	Phone	Y	N	Closed	S-Safety	1. Failure to comply with the mandate for employees to wear face coverings. Employees are not wearing their face coverings over both their nose and mouth. Management has observed this and is doing nothing to correct the noncompliance. 2. Failure to comply with social distancing measures by maintaining a minimum six-foot distance between employees who work on Press #5, and who use the break room.	Resolved through inquiry process.
C-1760363	KNOWLES CAZENOVIA INC.	KNOWLES PRECISION DEVICES	04/22/2021	Email	Y	Y	Closed	S-Health	1. There is not adequate ventilation over the cyanide tanks and acids.	1-Regulatory Citation. Total monetary penalty: \$690.00
C-1761925	Animal Medical Center of Reno		04/28/2021	Phone	Y	N	Closed	S-Health	1. Failure to comply with the mandate for employees to wear face coverings. 2. Failure to comply with social distancing measures by maintaining a minimum six-foot distance between employees in public spaces. 3. Five employees have tested COVID-19 positive and allowed to continue work exposing others to the virus contraction.	Resolved through inquiry process.
C-1763118	LUXE INDUSTRIES LLC		04/30/2021	Phone	Y	Y	Closed	S-Health	1. Located on the jobsite, employees are removing materials that contain asbestos without respiratory protection.	No citations issued.
C-1764530	SAVERS		05/05/2021	Phone	Y	N	Closed	S-Safety	1. The baler loading door closing mechanism is broken. Someone has to hold the door closed while it is in operation. When the final compression occurs, the ram moves quickly and jars the door open which can injure the employee holding the door.	Resolved through inquiry process.
C-1765863	PETCO		05/07/2021	Phone	Y	N	Closed	S-Safety	1. One emergency exit is blocked with trash and miscellaneous items, inside the warehouse in the back of the store. It is the only emergency exit in the warehouse.	Resolved through inquiry process.
C-1767838	Baker Electric Inc.	Baker Electric	05/13/2021	Phone	Y	N	Closed	S-Health	1. The employer is not providing any shade for employees assigned to install solar panels. 2. The employer is not providing any water for employees on site. By the end of the day employees have severe headaches. 3. Soap, water, or any hand washing facilities are not being provided. 4. Toilet facilities are not provided.	Resolved through inquiry process.

State of Nevada
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Agenda Item 7 - Quarterly Oral Complaint Report

UPA #	Establishment Name	DBA	UPA Receipt Date	Receipt Type	Letter of Inquiry	Inspection	UPA Open/Closed	Severity-Subject	Hazard Desc & Location	Inspection Results / Comments
C-1767879	Nevada Secretary of State Office		05/13/2021	Phone	Y	N	Closed	S-Health	Mailroom: Poor ventilation is causing employees to become ill with symptoms including, headaches, nausea, vertigo, and memory loss.	Resolved through inquiry process.
C-1768689	TREX COMPANY, INC.		05/18/2021	Phone	Y	Y	Closed	S-Safety	1. In the Production Line; employees breakdown hot plastic (HDPE) boards 2-20 feet long using their feet to be able to fit them in the hopper for recycling. When the boards snap, nearby employees get hit with the boards. 2. Employees stand underneath or in front of unstable loads carried by forklifts.	No citations issued.
C-1768857	CHICK-FIL-A, INC.		05/18/2021	Phone	Y	N	Closed	S-Health	1. Employees who have tested positive for COVID-19 are being allowed to continue to work. 2. All employees who have potentially been exposed to the infected employee(s) have not been notified so that they can watch for symptoms and/or get tested.	Resolved through inquiry process.
C-1768879	PARK7 DEVELOPMENT II, LLC	Park Place Reno	05/17/2021	Phone	Y	Y	Closed	S-Safety	1. The employer is requiring employees to perform construction work on an eight-story building without the benefit of a personnel hoist. 2. Construction workers are being required to carry heavy construction materials and tools using the existing stairs exposing the employees to potential musculoskeletal injuries. 3. Finishing trades are storing construction materials throughout the floors impeding proper access/egress if an emergency were to occur.	6-Serious, 3 Regulatory Citations. Total monetary penalty: \$11,118.00
C-1770427	LENNAR AT KILEY RANCH		05/24/2021	Phone	Y	N	Closed	S-Safety	1. Music played by all trades is so loud (competing with each other) employees working on jobsite are unable to hear backup alarms of equipment, and any calls for heads-up to avoid unintended falling objects. An employee was almost struck with a falling piece of wood as they could not hear the call to look out.	Resolved through inquiry process.
C-1770431	TOLL BROTHERS AT STONEBROOK		05/24/2021	Phone	Y	N	Closed	S-Safety	1. Music played by all trades is so loud (competing with each other) employees working on jobsite are unable to hear backup alarms of equipment, and any calls for heads-up to avoid unintended falling objects. An employee nearly walked into moving equipment as the back-up alarm was barely audible over the loud music.	Resolved through inquiry process.
C-1772231	STEVE'S SPECIALTY WELDING		05/28/2021	Phone	Y	Y	Closed	S-Safety	1. Employees are operating aerial boom lifts without being trained on them. 2. Employees are not wearing harnesses when operating aerial boom lifts. 3. Employees are operating forklifts without being certified.	1-Other-than-serious, 1 Regulatory Citation. Total monetary penalty: \$296.00
C-1772573	JOANN FABRIC AND CRAFT STORE		05/28/2021	Phone	Y	N	Closed	O-Health	1. Located in the store, both bathrooms have been out of service for over a week. Employees are forced to go to a mall to use a restroom. Employees do not have access to hot water and soap.	Resolved through inquiry process.
C-1773078	ROUNDS BAKERY		06/02/2021	Phone	Y	N	Closed	S-Health	1. Working in the heat at 92 degrees and 10 percent humidity indoors with minimal ventilation. The air conditioner is broken. 2. Water machine is provided without any cups or bottles while working in the heat. 3. Employees have almost fainted and fall over from heat exhaustion.	Resolved through inquiry process.
C-1773205	TheBalm Cosmetic Holdings, INC		06/02/2021	Phone	Y	N	Closed	S-Health	1. Employees working in production warehouse are experiencing headaches and nausea due to excessive heat. Employees are not allowed to have water in the warehouse/production areas.	Resolved through inquiry process.
C-1778896	TEXAS ROADHOUSE		06/21/2021	Phone	Y	N	Closed	S-Safety	1. The air conditioning in the building stopped working 3-4 weeks back and employees are suffering from heat exhaustion that has caused some employees to vomit, feel light headed, or pass out.	Resolved through inquiry process.
C-1779994	BSIR, LLC	BIG SHOT INDOOR RANGE	06/23/2021	Phone	Y	Y	Closed	S-Health;S-Safety	1. Ventilation system is inadequate causing employees to have exposure to high levels of lead. 2. Employee lead levels are above 30. 3. The use of lead ammunition has resulted in lead dust being spread throughout the facility. 4. The employer does not provide any training on lead. 5. The electrical wiring in the ceiling of the range has been shot up. This in combination with the lead dust has resulted in multiple ceiling fires.	No citations issued.
C-1781527	CapXFab		06/24/2021	Phone	Y	Y	Closed	S-Safety	1. Welding tables not properly grounded. Employee reported being shocked. 2. No guards on machinery including power hand tools. 3. Employees not being trained on fall protection while on field. 4. Fall protection not provided to employees on field.	4-Serious, 1-Other-than-serious, 1 Regulatory Citation. Total monetary penalty: \$17,640.00

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C-1781917	DTG2GO LLC		06/30/2021	Phone	Y	N	Closed	O-Health	1. No working restrooms are provided at the facility or on-site for employees use.	Resolved through inquiry process.
C-1752483	ShowGrow Las Vegas		04/01/2021	Phone	Y	N	Closed	S-Health	1. The employer is not complying with the Governor's COVID-19 mandate in regard to employees testing positive at the workplace. There is currently a large volume of COVID-19 positive cases and management is not instructing employees to get tested. 2. The employer is not complying with the Governor's COVID-19 mandate to follow the CDC guidelines in regard to identifying and informing employees of their possible exposure to COVID-19 in the workplace. Management is not informing employees of possible exposure after confirmed positive cases. Management is instructing employees not to inform their coworkers of possible exposure to COVID-19. 3. The employer has not sanitized the workplace after the confirmed positive cases of COVID-19. 4. The employer is not complying with the Governor's COVID-19 mandate in regard to conducting high touch surface sanitizing. 5. The employer is not complying with the Governor's COVID-19 mandate in regard to social distancing between employees and the public. 4/1/2021 JB	Resolved through inquiry process.
C-1753655	Henderson Kia		04/01/2021	Online	N	N	Closed	O-Safety	1. Employees are not being provided breaks at work. Employees have to work 7 hours straight with no break. Hazard Location: Main Towbin Kia building 4/1/21 ps	Resolved through inquiry process.
C-1754145	First Transit, Inc.		04/05/2021	Phone	N	N	Closed	O-Health	1. The employer is not complying with the Governor's COVID-19 mandate in regard to social distancing. The shuttle bus was operating at 80% occupancy by allowing up to 20 riders on a bus that seats 25. Management alerted drivers over the weekend to operate at full capacity allowing 25+ riders, including standing room. Social distancing cannot be observed between the driver and occupants. 2. Barriers have not been put in place to account for the lack of social distancing. 3. Drivers are not allowed to enforce the mask mandate. If a rider comes on the bus without a face covering, the driver is not allowed to refuse the ride or ask the rider to wear a mask. HAZARD LOCATION: Shuttle bus operated by First Transit that goes from McCarran International Airport to the McCarran Rental Car Center. 4/5/2021 RW	Resolved through inquiry process.
C-1754244	MODM Kolay Manufacturing LLC	Kolay Manufacturing, LLC	04/07/2021	Phone	Y	Y	Closed	S-Health;S-Safety	1. On 4/5/2021, an employee's hand was caught in-between 2 rollers on a machine used to apply coating on top of floorboard panels. The employee sustained crushing injuries and the employee was transported to a local hospital where they were admitted for treatment. 2. The employer did not notify the Division of an accident resulting in hospitalization within 24-hours of the event occurring. 3. The employer has acetone stored in the property that employees fill secondary containers with. The acetone is not properly grounded/bonded. 4. Employees utilize flammable liquids inside self-contained rooms without a method of ventilation in place to protect employees from exposure to harmful vapor. 5. In one of the rooms where harmful vapor exists, the employer has a commercial printer utilized to perform engraving on wood material, potentially creating a source of ignition.	6-Serious, 4 Other-than-serious. Total monetary penalty: \$22,470.00
C-1754646	Las Vegas Outdoor Adventures		04/07/2021	Phone	Y	N	Closed	O-Safety	1. On Wednesday, March 7th, an employee was seen acting erratically. When asked, the employee admitted to being intoxicated and having taken an oxycodone prior to starting work. A manager informed employees that all tours would be performed as normal, with the intoxicated employee still running their tour with fourteen people an hour after admitting that they were under the influence. HAZARD LOCATION: Throughout 4/7/2021 CR	Resolved through inquiry process.
C-1754820	Silver State Health Services		04/07/2021	Phone	Y	N	Closed	S-Health	1. The employer is not complying with the Governor's COVID-19 mandate in regard to employees wearing face coverings. Employees are seen walking around the location with masks either incorrectly worn (covering their mouth, but not covering their nose) or not worn at all. Hazard Location: Throughout Suite C 4/7/2021 RAO	Resolved through inquiry process.
C-1755088	Flamingo Las Vegas Operating Company, LLC	Flamingo Hotel and Casino	04/05/2021	Online	Y	N	Closed	S-Safety	1. In the North Plant, 1 of 3 possible emergency exit doors is locked and employees are concerned about egress in an emergency. HAZARD LOCATION: North Plant 04/05/2021 KR	Resolved through inquiry process.

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C-1755655	Peppermill Casinos, Inc.	Peppermill Inn	04/09/2021	Phone	N	N	Closed	O-Health	1. The employer is not complying with the Governor's COVID-19 mandate in regard to social distancing between persons/patrons in public spaces. None of the customers are social distancing. 2. The employer is not complying with the Governor's COVID-19 mandate in regard to persons/patrons wearing face coverings while in the Employer's establishment. People are not wearing a face mask throughout. HAZARD LOCATION: Throughout. 4/9/2021 RW	Resolved through inquiry process.
C-1755707	Palm Restaurant of Las Vegas	The Palm	04/08/2021	Phone	Y	N	Closed	O-Health	1. The employer is not complying with the Governor's COVID-19 mandate in regard to maintaining 50% occupancy at all times and regularly operates at 100% occupancy. 2. The employer is not complying with the Governor's COVID-19 mandate in regard to social distancing between employees and the public. 3. The employer is not complying with the Governor's COVID-19 mandate in regard to limiting parties of patrons to 6 per table and regularly seats parties of 12 or more. HAZARD LOCATION: Throughout	Resolved through inquiry process.
C-1756023	ATLAS PLUMBING INC		04/08/2021	Phone	Y	N	Closed	S-Health	1. The employer is not complying with the Governor's COVID-19 mandate in regard to employees wearing face coverings. Several employees have tested positive for COVID-19 due to a suspected exposure at the office where very few employees ever wear face coverings. 04/12/2021 rr	Resolved through inquiry process.
C-1756277	Las Vegas Collision, Inc.	AW Collision of Las Vegas	04/12/2021	Phone	Y	N	Closed	S-Health	1. The paint spray booth's powered exhaust ventilation system has been out of service for approximately one month. The employer requires employees to paint inside the spray booth without the exhaust system operating to remove the concentration of paint fumes from inside the spray booth. Employees are spraying flammable and combustible materials in the spray booth without exhaust air movement through the booth. 4/12/2021 DG	Resolved through inquiry process.
C-1757036	Samurai Sam's		04/13/2021	Phone	Y	N	Closed	S-Health	1. The employer did not provide training to employees wherein corrosive chemicals such as bleach and degreaser are required for use in the workplace. 2. Personal protective equipment for these chemicals is not provided. Employees get splashes of bleach and degreasers in their eyes. 3. Safety data sheets are not maintained and not readily accessible to employees. 4. There is no eyewash station available. 04/14/2021 rr	Resolved through inquiry process.
C-1757047	Paysign, Inc.		04/13/2021	Phone	Y	N	Closed	S-Health	1. A few employees recently tested positive for COVID-19 and were sent home. The employer did not deep clean or sanitize the office space prior to employees returning. 2. The employer is not complying with the Governor's COVID-19 mandate in regard to social distancing between employees. Cubicles are less than 6-feet apart. 3. Employees are instructed to keep their masks off while in their cubicle, but the partition is very low such that employees' heads are sticking up and visible while they are seated. The partition is too low. HAZARD LOCATION: Throughout the call center downstairs. 04/14/2021 KR	Resolved through inquiry process.
C-1757465	Kona Grill		04/14/2021	Phone	Y	N	Closed	S-Health	1. Within the last week, positive COVID-19 cases among employees have grown from 6 to 10 employees. 2. There has been no enhanced sanitizing or disinfecting in response to the outbreak among employees, even as some employees leave their shift early as they start showing symptoms while working. 3. Management does not notify employees when a fellow employee tests positive, nor do they notify employees who may have had close contact with the positive employee. HAZARD LOCATION: Throughout. 4/14/2021 RW	Resolved through inquiry process.
C-1757733	Kona Grill		04/14/2021	Online	Y	N	Closed	O-Health	1. There have been 10 employees who have tested positive for COVID-19 and the employer is not taking precautionary steps. Hazard Location: Dining area, kitchen, throughout the restaurant 4/14/21 ps	Resolved through inquiry process.

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C-1758609	Wynn Las Vegas, LLC	Wynn Las Vegas / Encore at Wynn Las Vegas	04/19/2021	Phone	Y	N	Closed	S-Health	1. On the casino floor, the employer is not complying with the Governor's COVID-19 mandate in regard to members of the public wearing face coverings while in the Employer's establishment. On April 17, 2021, at approximately 4:00 AM, the employer allowed patrons not wearing face coverings to play at the roulette table for an hour. Employees voiced their concerns to management, but management did not take any actions to enforce the mask mandate. Dealers have been instructed by management to deal to customers at the roulette table without face coverings. 4/19/2021 JB	Resolved through inquiry process.
C-1758843	Riverside Resort & Casino		04/19/2021	Phone	Y	N	Closed	O-Health	1. There has recently been a cockroach infestation in the kitchen of The Riverview Restaurant. Management has been informed but is refusing to get a pest control company to correct the problem. Employees believe that they have been getting sick as a result of the cockroach infestation. Hazard Location: Floor drain in the kitchen of The Riverview Restaurant 4/19/2021 RAO	Resolved through inquiry process.
C-1759011	Desert Radiology		04/15/2021	Email	Y	N	Closed	O-Safety	1. The employer has added security access doors to the rooms. The door to the call center does not work and the employees cannot go in and out of their work area due to the broken door. Hazard Location: The call center 4/15/20 ps	Resolved through inquiry process.
C-1759437	Xtreme Powersports LLC	BBV Powersports Cars	04/20/2021	Phone	Y	N	Closed	S-Health	1. The employer is not complying with the Governor's COVID-19 mandate in regard to quarantining employees who have tested positive for COVID-19. HAZARD LOCATION: Throughout 04/20/2021 KR	Resolved through inquiry process.
C-1759593	Little Caesars Pizza		04/21/2021	Phone	N	N	Closed	O-Safety	1. Mold is in the dish pit area and it is causing employees to have headaches.	Resolved through inquiry process.
C-1759799	Budget Suites of America		04/16/2021	Phone	Y	Y	Closed	O-Health;O-Safety	1. Employees working in the laundry room are concerned about inhalation of fumes emitting from the gas lines connected to the dryers and the room not having a ventilation system, potentially exposing employees to illness. 2. The employer is allowing employees to conduct electrical and welding work throughout the facility without a license, potentially exposing the employees to injuries. Hazard Location: Laundry Room 4/16/2021 DG	No citations issued.
C-1760129	NP Red Rock, LLC	Red Rock Casino Resort Spa	04/15/2021	Phone	Y	N	Closed	S-Health	1. Employees are concerned that they are not given breaks when showing symptoms of heat stress / heat exhaustion. Employees in the pool area are exposed to direct sunlight for a period of up to 5 hours and the employer does not allow employees to take unscheduled breaks for relief. 2. Employees are concerned that they have not been trained in First Aid and CPR. Training conducted by the employer did not address duties to be performed by employees who work in the pool area. Hazard location: Throughout pool area 4/22/2021 EH	Resolved through inquiry process.
C-1760483	Noble Home Loans NMLS #328275		04/21/2021	Phone	Y	N	Closed	S-Health	1. The employer is not complying with the Governor's COVID-19 mandate in regard to employees wearing face coverings. 2. The employer is not complying with the Governor's COVID-19 mandate in regard to social distancing between employees and the public. 3. The employer is not complying with the Governor's COVID-19 mandate in regard to disinfecting high touch surfaces. Management has been informed that employees tested positive for COVID-19 and employees are concerned they will contract the virus due to the lack of disinfecting. Hazard Location: At both office locations. 4/21/2021 JB	Resolved through inquiry process.
C-1760487	Village Capital & Investment LLC		04/12/2021	Phone	Y	N	Closed	S-Health	1. The employer is not complying with the Governor's COVID-19 mandate in regard to employees wearing face coverings. The owner along with employees are not wearing face masks while working in the facility. Hazard location: Throughout 4/23/2021 EH	Resolved through inquiry process.
C-1760911	Clauss Construction	Clauss Construction	04/22/2021	Phone	Y	N	Closed	S-Health	1. Employees are feeling extreme discomfort due to the superintendent assigning two employees to carry 250-350 lbs of steel beams up to 4-feet in distance while working in the pool / theatre area of the Encore Hotel. HAZARD LOCATION: In the pool / theatre area.	Resolved through inquiry process.

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C-1760977	Bamboo Family Clinic LLC		04/22/2021	Phone	Y	N	Closed	S-Health	1. Employer allowed a COVID-19 positive patient to be seen in the clinic to deliver lab results that they were positive for COVID-19. They continue to see patients without sanitizing and deep cleaning the office. 2. The office manager stated that she does not know what the COVID-19 guidelines are and dismissed the previous complaint. HAZARD LOCATION: 3rd floor. 4/22/2021 RW	Resolved through inquiry process.
C-1761368	Camp Bow Wow		04/19/2021	Phone	Y	Y	Closed	S-Health	1) Chemicals are not being diluted properly and are even being improperly mixed with other chemicals. One employee was hospitalized as a result of an exposure to an improperly diluted chemical mixture involving a product called OdoBan. 2) No Personal Protective Equipment (PPE) is being provided to employees that are required to work with chemicals. 04/27/2021 rr Follow-Up 6.3.2021 EBM	No citations issued.
C-1761605	Amazon.com Services LLC	North American Fulfillment Center- LAS 7	04/27/2021	Phone	Y	N	Closed	O-Health	1. There is poor air quality in the workplace. The air filters are dirty. 2. It is very hot in the building. Employees are experiencing headaches due to the heat and wearing a mask. HAZARD LOCATION: Throughout. 4/27/2021 CR	Resolved through inquiry process.
C-1761619	Pahrump Spine & Wellness		04/15/2021	Phone	Y	N	Closed	S-Health	1. The employer is not complying with the Governor's COVID-19 mandate in regard to employees wearing face coverings. The employer does not require face coverings within the business. 2. The employer is not complying with the Governor's COVID-19 mandate in regard to persons/patrons wearing face coverings while in the Employer's establishment. Patrons of the business receive chiropractic services without face coverings. 3. The employer provides sanitizing supplies that are not labeled and contain unknown chemicals. 4. The employer does not provide hot running water in the facility. Restrooms only provide cold water. 5. The employer does not provide individual hand towels or paper towels. Hazard location: Throughout business 4/27/2021 EH	Resolved through inquiry process.
C-1761837	Burlington Coat Factory Warehouse O		04/26/2021	Phone	Y	N	Closed	O-Health	1. All of the bathrooms within the store (men's and women's) have been out of order for more than a week. The employer has not specified what the alternative plan for this would be, but employees have been leaving work to go to other businesses in the area to use the restroom. HAZARD LOCATION: Bathrooms 4/26/2021 RW	Resolved through inquiry process.
C-1761870	Firstservice Residential, LLC		04/26/2021	Phone	Y	N	Closed	S-Health	1. The employer is not complying with the Governor's COVID-19 mandate in regard to persons/patrons wearing face coverings while in the Employer's establishment. The employer is not doing enough to ensure compliance by residents who often do not wear masks in public areas throughout the building such as in the fitness area, the back hallways, and service elevators. HAZARD LOCATION: Public spaces such as fitness area, hallways, and elevators, in the Panorama Towers. 4/26/2021 RW	Resolved through inquiry process.
C-1762907	Collection Sites LLC aka Test Before You Go		04/28/2021	Phone	Y	Y	Closed	S-Health	1. The employer is not complying with the Governor's COVID-19 mandate in regard to employees wearing face coverings. 2. The employer is not complying with the Governor's mandate that all employees exposed to COVID-19 must quarantine for fourteen days. Several employees tested positive for COVID-19 and have continued working while showing symptoms. 3. The employees administering the COVID tests have no licensure or certification to do so. 4. It is believed that the testing being conducted at this location is not permitted based on this location being an office building. 5. The Health District or other regulatory agencies are not contacted when employees test positive for COVID-19. 6. No social distancing is practiced within the offices, such as Office #512 or the call center, in violation of the COVID-19 mandates. 7. Employees do not receive any OSHA training. No OSHA 300 Injury and Illness Logs are maintained. HAZARD LOCATION: Throughout Follow-Up 6.3.2021 EBM	No citations issued.

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C-1763415	Wingstop Restaurant		04/29/2021	Phone	Y	N	Closed	O-Health	1. The hot water heater in the restaurant is not working and the employer is now using a propane tank as a source of fuel for an alternate means of heating water. There is not any ventilation in the restaurant and employees are becoming ill with symptoms such as burning eyes and chest pain due to the exposure to the propane and exhaust. Hazard Location: In the kitchen area next to the sink. 4/29/21 ps	Resolved through inquiry process.
C-1763462	Smithfield Foods	Saratoga Food Specialties	04/30/2021	Phone	Y	Y	Closed	S-Health;S-Safety	1. Employees go up onto the Wintak machines to clean the bowl at the top pf the Wintak machines at an elevated surface ranging from 8 to 10 feet above the floor level and are not protected from falls. 2. Employees are not trained in Fall Protection. 3. Employees are not trained in Hazard Communication. 4. Employees are not trained in Lockout/tagout procedures. 5. Employees were required to work while having tested positive for COVID-19 and showing symptoms. Hazard Location: Machines 1,2,3,4 & 5 in Wintak Rooms 1&2 4/30/21 ps	1-Serious. Total monetary penalty: \$8,601.00
C-1763511	The Pantry		04/29/2021	Phone	N	N	Closed	O-Health	1. The employer is not complying with the Governor's COVID-19 mandate in regard to maintaining a minimum 6-feet of separation between persons/patrons in public spaces. Customer's tables are not spaced six feet apart. In some instances, the tables are only spaced two feet apart. Hazard Location: In the Costa overflow area. 4/29/21 ps	Resolved through inquiry process.
C-1764386	Raising Cane's Restaurants, LLC	Raising Cane's Chicken Fingers	05/03/2021	Media	Y	N	Closed	S-Safety	1. The employer did not report the in-patient hospitalization of an employee to Nevada OSHA within 24-hours of the occurrence. On April 12, 2021, at approximately 4:40 PM, an employee was hospitalized for two days after burning their hand in hot oil. The Store Manager was informed of the two-day hospital stay by the injured employee's family. Hazard location: Kitchen 5/5/2021 EH	Resolved through inquiry process.
C-1765374	Circa Resorts, LLC	Circa Resort & Casino	05/05/2021	Phone	Y	N	Closed	S-Health	1. Lifeguards are exposed to heat stress from the sun and are not provided with umbrellas. Employees have lost consciousnesses while exposed to the heat stress. There are two chairs with umbrellas in the pool area for lifeguards and all the remaining lifeguards on duty are expected to stand in the direct sun light for their 8-hour shifts. Hazard Location: Pool Area 05/05/21 EM	Active Inquiry.
C-1765826	Clark County School District		05/07/2021	Phone	Y	N	Closed	S-Health	1. A male second grade teacher regularly wears a face covering below his chin, not covering his nose or his mouth. His high school aged son is covid positive as of 5/6/2021. 2. A female fifth grade teacher wears only a face shield with no fabric enclosure. 3. A first grade teacher regularly tells students to remove their face coverings for a mask break. 4. A first grade student presented symptoms consistent with COVID-19 infection. A teacher notified the office and requested the student be seen by the FASA (school first aid assistant). The FASA was assigned to lunch room duty at the time and was unavailable to respond to the situation for over an hour, during which time the student remained in the classroom, potentially exposing the classroom teacher and other students. 5. Teachers remove face coverings in common/public areas when around other people. 6. On May 3, 2021, a confirmed case of COVID-19 was identified in a first grade classroom. Students were sent home on May 3. Some of those students were permitted to return to the school for in-person instruction on May 10, the seventh day after the students were sent home. The CCSD return to school policy for students requires the students to remain out of school for a minimum of seven days, returning no earlier than day 8. This policy was not followed.	Resolved through inquiry process.
C-1766007	CertainTeed Gypsum Manufacturing, Inc.	CertainTeed	05/04/2021	Phone	Y	N	Closed	S-Safety	1. The employer is not enforcing company safety policies. A supervisory employee was witnessed by several employees, violating Lock-Out-Tag-Out procedures. The supervisor reached into an electrical junction box with 4,160 volts and without applying a lock or tag to the disconnect. The company was made aware but did not enforce its safety disciplinary policy. Hazard location: Gypsum processing area. 5/10/2021 EH	Resolved through inquiry process.
C-1766143	Jimmy's @ Madison's		05/10/2021	Phone	Y	N	Closed	O-Safety	1. The employer does not have OSHA posters on site.	Resolved through inquiry process.

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C-1766898	Clark County Collection Services LLC		05/10/2021	Phone	Y	N	Closed	S-Health	1. The employer is not complying with the Governor's mandate that all employees exposed to COVID-19 must quarantine for fourteen days. Ove half of the office has been exposed to COVID-19, but only a small portion of employees have been allowed to quarantine while others continue to show symptoms while at work. 2. The employer is not complying with the Governor's COVID-19 mandate in regard to sanitizing high-touch surfaces after each use. Surfaces are not cleaned after an employee has tested positive for COVID-19, potentially exposing other employees to COVID-19. HAZARD LOCATION: Throughout 05/10/2021 KR	Resolved through inquiry process.
C-1767114	Big Dog's Hospitality Group	Big Dog's Brewing Company	05/07/2021	Phone	Y	N	Closed	O-Health	1. During the summer, employees risk heat stress within the kitchen area of Big Dog's Brewing Company due to temperatures that exceed 112-116 degrees Fahrenheit. The employer has installed four space fans that just push around the hot air. Employees have gotten sick and fainted within the kitchen area. Hazard Location: In the kitchen area of Big Dog's Brewing Company,	Resolved through inquiry process.
C-1767361	Sunrise Hospital and Medical Center		05/12/2021	Phone	N	N	Closed	O-Health	1. There are not enough working PAPR's within the hospital, so employees are being required to share PAPR's throughout their shifts or buy their own. PAPR's are needed for breathing treatments, trach collars, bypasses, etc. 2. The PAPR's that employees are being required to share, are not being properly maintained. Blood has been found within the hose of the PAPR's and sometimes when you rinse the hose out, the water comes out with a black tint to it. The filters on the PAPR's are not being changed. 3. Battery acid from the PAPR's has burned more than one employee. There has now been a sign posted that indicates that it is the employee's responsibility to check and maintain the batteries on the PAPR's throughout use. HAZARD LOCATION: Throughout 05/12/2021 KR	Resolved through inquiry process.
C-1769509	Staff Zone		05/19/2021	Phone	Y	N	Closed	O-Health	1) The employee does not feel safe to work with other employees who are high and drunk. Hazard Location: The Sahara Location 5/19/21 ps	Resolved through inquiry process.
C-1769536	Stratosphere Gaming Corp	Stratosphere Tower Casino & Hotel	05/19/2021	Phone	Y	N	Closed	S-Health	1. Employees are concerned about COVID-19 because the employer has removed the plexiglass barriers in the EDR. The employer is also starting to remove them from the front of the house. 2. The employer is not asking customers if they are vaccinated or not when they come in without a mask, even though they require employees to provide their vaccination cards. 3. Employees are concerned about COVID-19 because customers are smoking and vaping. 4. There is no social distancing on the casino floor. Hazard Location: Throughout 5/19/2021 RAO	Resolved through inquiry process.
C-1769700	Everi Holdings Inc.	Everi Games, Inc.	05/19/2021	Phone	Y	N	Closed	S-Health	1. The employer puts its employee's at risk by failing to notify workers of their possible close contact with a co-worker with a confirmed COVID-19 infection so they can take necessary precautions (i.e. get tested, deep clean area etc.). At least 2 workers have tested positive for COVID-19 at this location and no one was notified. Hazard Location: Compliance Software Section	Resolved through inquiry process.
C-1769918	Sam's Town Hotel/Gambling Hall		05/17/2021	Phone	Y	N	Closed	O-Health	1. The plexiglass on table games has been removed. Patrons are now also allowed to smoke while seated at the table games. Dealers are concerned about breathing in the expelled smoke while it is still necessary to take precautions against coronavirus regardless of vaccination status. HAZARD LOCATION: Table games area. 5/17/2021 RW	Resolved through inquiry process.
C-1770305	Western States Contracting, Inc.		05/21/2021	Phone	Y	N	Closed	O-Safety	1. An F250 utility truck is leaking diesel from a Lincoln welder onto the welder itself and onto the truck bed, potentially exposing employees to a fire should the diesel ignite from welding activities. Hazard Location: Inside the truck yard 5/21/21 ps	Resolved through inquiry process.
C-1770312	Grant Sawyer State Office Building		05/20/2021	Phone	Y	N	Closed	O-Health	1. The employer is cleaning out the plumbing lines and it is causing feces and other debris to spill on the carpet. The carpet is not being cleaned out properly, leaving debris still remaining of the carpet. Hazard Location: Throughout the 1st Floor	Resolved through inquiry process.

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C-1770986	Turano Nevada Baking , LLC		05/25/2021	Hotline	Y	Y	Closed	S-Health	1. Many employees have tested positive for COVID-19 at the establishment. The employer is allowing employees to return to work after a 10-day or 14-day quarantine without showing proof of being negative for COVID-19. Hazard Location: Inside the establishment 5/25/21 ps	1-Serious, 1-Other-than-serious. Total monetary penalty: \$3,107.30
C-1771621	Allied Universal		05/26/2021	Phone	N	N	Closed	O-Health	1. The employer does not provide potable drinking water. The employer has instructed employees to retrieve drinking water from the restroom sink. Employees are exposed to unsanitary drinking water. Hazard Location: Located at Grand Canal Shoppes at the Venetian Resort Las Vegas. 3rd level, back hallway by Security Office. 5/26/21 ps	Resolved through inquiry process.
C-1772493	Del Taco Inc #913		05/28/2021	Phone	Y	N	Closed	O-Safety	1. There is a large water leak in the kitchen area creating a slip and fall hazard to employees. The employer requires employees to continue working in the kitchen area where they are exposed to this hazardous condition. Hazard Location: In the kitchen areas including the areas by the walk-in refrigerators and the dish areas. 5/28/2021 DG	Resolved through inquiry process.
C-1772669	MV Transportation Inc.		06/01/2021	Phone	Y	N	Closed	O-Health;O-Safety	1. On 5/18/2021 an employee was cut by a protruding piece of metal of an emergency fuel catch box. The employer has not repaired the protruding metal. The employee was not admitted to a hospital. 2. Employees are not being provided adequate water, rest, or shade while working in the outside yard areas. HAZARD LOCATION: 1. Paratransit side of the bus yard, field island. 2. The detail bay area.	Resolved through inquiry process.
C-1772680	Amazon - DLV2		06/01/2021	Phone	Y	N	Closed	O-Health	1. Employees in the warehouse are not provided with enough water or rest and are being potentially exposed to heat stress related illness. The warehouse fans are operational but are not providing adequate airflow for the given volume of the warehouse. 2. Employees are concerned that the company is not following the internal 8-foot social distancing policy. HAZARD LOCATION: 1. Throughout the warehouse.	Resolved through inquiry process.
C-1773043	Consumer Portfolio Services, Inc.		06/02/2021	Online	Y	N	Closed	O-Health	1. Employees feel that the office is too hot, particularly after the weekend. Some areas of the office are cool and other areas are very warm as well. HAZARD LOCATION: Suite 200 06/02/2021 KR	Resolved through inquiry process.
C-1773120	Ocean One Bar and Grille		06/02/2021	Phone	Y	N	Closed	O-Safety	1. On 5/28/2021 at approximately 5:00 PM, an employee working at the front counter collapsed and was denied medical attention. Management stated that they would not call 911 and had the employee sit on a chair for approximately one hour after getting them up. The employee has not returned to work. 2. Employees have cut themselves on several occasions and the employer does not have first aid kits available. 3. The establishment is hot and employees are not provided with sufficient breaks. Hazard Location: Throughout 6/2/2021 bm	Resolved through inquiry process.
C-1773436	Acme Security		05/28/2021	Phone	Y	N	Closed	O-Health	1. The employer has locked out employees from the restrooms and access to water for approximately 1 1/2months. Employees are no longer allowed to access the security office and related areas. Guards are also not allowed into nearby casinos to use facilities, due to being armed. Hazard Location: Buildings D 7 E: Within The Treehouse Vegas marijuana cultivation post. The bathroom areas are on 1st floor near the kitchen. 05/28/2021 EM	Active Inquiry.
C-1773935	Bed Bath & Beyond #655		06/03/2021	Phone	Y	N	Closed	O-Safety	1. Inside the warehouse, a forklift driver struck a sprinkler connected to a conveyor system resulting in water on the warehouse floor. The employer has shut off all running water in the building and is requiring employees to continue working in these conditions. 6/3/2021 JB	Resolved through inquiry process.
C-1774585	Retro Manufacturing, LLC		06/07/2021	Phone	Y	N	Closed	O-Safety	1) The forklift operator is driving without the proper training and certification. Hazard Location: Warehouse 6/7/21 ps	Resolved through inquiry process.

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C-1776406	Primoris Energy Services Corporation		06/10/2021	Phone	Y	N	Closed	S-Safety	1. The employer failed to report the amputation of the tip of the middle finger on the left hand of an employee that occurred on the morning of 6/9/2021, while the employee was operating an Ojjo Truss Machine. 2. The employee was given orders by a UMC doctor who attended to her injury to stay home until Friday, 6/11/2021, but the employer ordered the employee to report to work on Thursday, 6/10/2021. 3. Workers have complained about missing parts on the Ojjo Truss Machine that included lack of machine guarding. As many as 3 other workers have been injured while operating this machine. Management has said there is no money to repair this machine. Hazard Location: Eagle Shadow Mountain Solar Farm 6/10/2021 RJP	Resolved through inquiry process.
C-1777113	Siegel Suites Swenson		06/11/2021	Phone	Y	N	Closed	O-Health	1) The employer is not providing proper chemicals to clean the rooms. The housekeeping workers have to bring their own chemicals from home. 2) There are no eyewash stations at the property. 3)The housekeeping workers are not provided with gloves. Hazard Location: Throughout 6/11/21 ps	Resolved through inquiry process.
C-1777370	Clark County School District Advanced Technologies Academy		06/15/2021	Phone	Y	N	Closed	O-Safety	1) The entire building does not have operational air conditioning and employees are concerned about exposure to heat stress. 2) There is a strong sewer gas odor throughout the building and employees are experiencing symptoms such as headaches as a result of this exposure.	Resolved through inquiry process.
C-1777381	Nextgen Associates, Inc.	ServiceMaster Restoration by EMT	06/11/2021	Phone	N	Y	Closed		1. The employer is using grinders and skill saws to cut asbestos while in containment that isn't under negative pressure. 2. The employer does not provide Personal Protective Equipment (PPE) or the correct respirator filters. 3. The company does not follow asbestos abatement procedures correctly. Hazard Location: Throughout	No citations issued.
C-1777836	Safe Life Defense LLC		06/16/2021	Phone	Y	N	Closed	S-Health	1. Employees are concerned that they are exposed to heat stress. Employees are working in a warehouse with no air conditioning in temperatures exceeding 110 degrees Fahrenheit and are experiencing heat stress related symptoms. Hazard location: Warehouse area 6/15/2021 EH	Resolved through inquiry process.
C-1778117	Pizzeria Pronto - Venetian Canal Shoppes		05/25/2021	Phone	N	N	Closed	O-Health	1. The employer is not complying with the Governor's COVID-19 mandate in regard to following CDC guideline for employees who test positive for COVID-19. Following a positive case reported yesterday (5/24/21), the employer is opening and operating the restaurant without sanitizing it. Hazard Location: Located within Venetian Grand Canal Shoppes. Open & adjacent to Royal Britannia Gastropub, also run by same management. 05/25/2021 DG	Resolved through inquiry process.
C-1778215	Royal Britannia Gastropub - The Venetian		05/25/2021	Phone	N	N	Closed	O-Health	1. The employer is not complying with the Governor's COVID-19 mandate in regard to following CDC guideline for employees who test positive for COVID-19. Following a positive case reported yesterday (5/24/21), the employer is opening and operating the restaurant without sanitizing it. Hazard Location: Open & adjacent to Pizzeria Pronto-Venetian 05/25/2021 DG	Resolved through inquiry process.
C-1778232	Newport Meats of Nevada		06/04/2021	Phone	Y	Y	Open	O-Safety	1. On April 30, 2021, Custodial staff were using a gas-powered pressure washer to clean equipment inside the facility. Employees suffered the effects of carbon dioxide exposure. Emergency services were called to treat employees. 2. On June 4, 2021, a custodian was cleaning a room with bleach, when the employee spilled bleach on the employee's face, arms, and body. The employee suffered skin irritation and was not allowed to be medically treated. Hazard Location: Inside the facility 06/04/2021 DG	Inquiry changed to active inspection.
C-1778247	Popeyes Louisiana Kitchen	Popeyes #12082	06/16/2021	Phone	Y	N	Closed	O-Health	1. The Air Conditioning system has not worked for two days inside the facility. Employees are concerned about heat stress and working in hot temperatures inside the establishment. Hazard Location: Inside the facility. 06/16/2021 DG	Resolved through inquiry process.
C-1778250	Treasure Island		06/17/2021	Phone	Y	N	Closed	S-Safety	1. Employees are concerned that the employer is not ensuring portable fire extinguishers are kept in their designated places. The boiler room doors are being held open by portable fire extinguishers and trash receptacles.	Resolved through inquiry process.

State of Nevada
Division of Industrial Relations
Nevada Occupational Safety Health Administration
Agenda Item 7 - Quarterly Oral Complaint Report

UPA #	Establishment Name	DBA	UPA Receipt Date	Receipt Type	Letter of Inquiry	Inspection	UPA Open/Closed	Severity-Subject	Hazard Desc & Location	Inspection Results / Comments
C-1778260	Brady Linen Services LLC		06/09/2021	Phone	Y	N	Closed	O-Safety	1. Temperatures are reaching over 100 degrees outside causing inside areas to feel hotter and more humid. Employees are experiencing symptoms of heat stress or illness such as nausea and light headedness. Hazard Location: Areas of production where heat producing equipment is. Such as towel folding areas, bedroom and kitchen linen areas and dyer areas. 06/09/2021 DG	Resolved through inquiry process.
C-1779042	National Car and Truck Sales		06/21/2021	Phone	Y	N	Closed	O-Health	1. The a/c has not been working for two weeks. The temperature inside the trailer ranges from 91-99 degrees. Portable a/c units were brought in but they do not work well to keep the offices cool. No work has been done on the main a/c unit for the trailer. HAZARD LOCATION: Throughout the trailer. 06/21/2021 KR	Resolved through inquiry process.
C-1779996	Flamingo Las Vegas Operating Company, LLC	Flamingo Hotel and Casino	06/21/2021	Phone	Y	N	Closed	S-Health	1. The employer is not following proper quarantine requirements for COVID-19. Employees who are showing symptoms are required to get tested right away and are required to come back to work if negative, even when sick. 2. The hallways of the hotel towers have no air conditioning and some floors, such as the 22nd floor, have hot air coming out of the vents. Housekeeping employees working in the hallways and locker rooms, where linens and towels are folded, do not have a cool area to rest. 3. The locker rooms within the hotel towers no longer have water jugs in them. They were removed and employees were instructed to bring their own water with them. If they need more water while working, employees are instructed to buy from the vending machines. 4. Housekeeping employees do not have access to ice. Guests frequently form lines at the ice machines and housekeeping does not have time to wait as they have to meet their quota. Hazard Location: Hallways and locker rooms of hotel towers. 6/21/2021 RAO	Resolved through inquiry process.
C-1780000	Rainbow #1655		06/23/2021	Online	Y	N	Closed	O-Health	1. The air conditioning is not working or not working correctly within the store and employees are concerned about heat stress. HAZARD LOCATION: Throughout 06/23/2021 KR	Resolved through inquiry process.
C-1780459	Family Dollar		06/25/2021	Phone	Y	N	Closed	O-Safety	1. On June 11, 2021, at approximately 8:00 PM, an employee was putting away a U-boat when a cart came down and struck the employee and knocked the employee to the ground. The employee sustained injuries to the back and neck areas and a fractured hand. The employee was admitted to Mount Grant General Hospital at approximately 9:00 PM and released the following day. The employer did not provide medical aid to the employee and the incident was not recorded. 06/25/2021 JB	Resolved through inquiry process.
C-1780464	The Primadonna Company, LLC	Primm Valley Resort & Casino	06/25/2021	Phone	Y	N	Closed	S-Health;S-Safety	1) The carpet in the C and D Buildings is stretched and loose, creating trip hazards for employees and guests. Housekeeping employees in these areas have a difficult time pushing their overloaded 600-700 pound carts over the loose carpeting. 2) There are various leaks in the walls and roofing and employees are concerned about exposure to mold. 3) Air conditioning is currently not working in the Front Desk Area, C, and D Buildings and employees are concerned about heat stress. 4) There are many broken chairs and doors in the guest rooms of the C and D buildings and it is not uncommon for them to break or fall on employees and guests. 5) The stairs in the Monorail Area are in poor condition and are deteriorated to the point that they are crumbling. Employees are concerned about fall hazards or a potential collapse. HAZARD LOCATION: Monorail Area; Front Desk Area; C and D Buildings 06/25/2021 KR	Resolved through inquiry process.
C-1781206	Walmart Inc.	Walmart #2593	06/23/2021	Phone	Y	N	Closed	O-Safety	1. Employees are exposed to ergonomic strain injuries while disassembling the rotisserie oven to perform cleaning activities.	Resolved through inquiry process.
C-1781549	Poker Palace		06/28/2021	Phone	Y	N	Closed	O-Health	1. Employees working in the kitchen area are subjected to extreme heat and are not being provided with potable water. Hazard Location: In the kitchen area 6/28/21 ps	Resolved through inquiry process.
C-1782107	Goodwill Retail Store and Donation Center		06/28/2021	Phone	Y	N	Closed	O-Health	1. Since last Wednesday, June 23, 2021 it has been hot in the warehouse and employees feel like they are going to pass out. Hazard Location: In the warehouse. 6/28/2021 RAO	Resolved through inquiry process.

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UPA #	Establishment Name	DBA	UPA Receipt Date	Receipt Type	Letter of Inquiry	Inspection	UPA Open/Closed	Severity-Subject	Hazard Desc & Location	Inspection Results / Comments
C-1782414	Amazon.com Services LAS1		06/22/2021	Phone	Y	N	Closed	O-Health	1. Inside the warehouse employees are exposed to heat stress. There is only one fan and no air-conditioning in the building. 6/22/2021 JB	Resolved through inquiry process.
C-1782425	Regional Transportation Commission of Southern Nevada		06/28/2021	Phone	Y	N	Closed	S-Health	1. The employer is not enforcing the use of face coverings for non-vaccinated passengers. Employees are instructed to call security when a passenger refuses to wear a mask or removes their mask during transit. However, employees are instructed by management to continue driving and not wait for security to arrive to remove the passenger. Employees are concerned about being potentially exposed to the coronavirus. 6/28/2021 JB	Resolved through inquiry process.
C-1783357	Amazon.com Services LLC	North American Fulfillment Center- LAS 7	06/28/2021	Phone	Y	N	Closed	O-Health	1. Employees have been having experiencing heat issues since the summer began due to the lack of air conditioning on the south end of the warehouse. Operation managers have advised that fans would be installed at each station throughout the warehouse however that has yet to occur for all stations. It is warm on the north side of the warehouse, but it is hot on the south side of the warehouse. HAZARD LOCATION: South end of the warehouse, farthest from the entrance. 6/28/2021 CR	Resolved through inquiry process.
C-1790781	Desert View Remodelers LLC	Universal Solar Direct of Las Vegas	05/26/2021	Phone	Y	N	Closed	O-Health	1. The employer does not provide individual hand towels or paper towels in employee designated restrooms. Employees are required to provide their own sanitation supplies. 2. The employer does not provide hand soap or similar cleansing agents in employee designated restrooms. 3. The employer is not complying with the Governor's COVID-19 mandate in regard to disinfecting high touch surfaces. The employer is not disinfecting the workplace after employees have tested positive of COVID-19. Hazard location: Throughout Business. 7/27/2021 EH	Resolved through inquiry process.
C-1798361	JV Ventures Inc.	Red Mango	06/21/2021	Phone	N	N	Closed	O-Health	1. Employees are forced by Management to make smoothies with almond milk, and the employees are not allowed to inform the customers. 2. Employees do not have the ingredients needed to do their job efficiently, and management does nothing to resolve the ongoing issue. We are forced to do our jobs even though we are not provided with the necessary ingredients. Hazard Location: Red Mango, D gates 06/21/2021 EM	No action. No employee exposure/hazard alleged.

Advisory Council

NRS 618.347 – Report Concerning Issuance of NRS 618.375

General Duty Citations by the Division

Quarter 4 / FY21: April, 2021 to June, 2021

1. 203 LLC – Inspection 1519075

Nevada Revised Statutes 618.375(2): Duties of employers. Every employer shall furnish and use such safety devices and safeguards, and adopt and use such practices, means, methods, operations and processes as are reasonably adequate to render such employment and places of employment safe from COVID-19 exposure, and comply with all orders issued by the Division. The employer did not ensure the use of safety devices and safeguards, and adopt and use such practices, means, methods, operations and processes as were reasonably adequate to render such employment and places of employment safe from COVID-19 exposure.

On 3/11/2021, three employees were observed working within 6 feet of each other while performing construction related activities and were not wearing face coverings or practicing social distancing. The observed conditions and practices resulted in employee exposure to infection from COVID-19 which is a recognized serious hazard to employee health. Corrected During the Inspection: The employer ensured face coverings were being used.

References:

Division of Industrial Relations - Updated Guidance for Business Operations During Nevada's "Statewide Pause" - 11/24/2020.

Declaration of Emergency Directive 024, Section 5 - 6/24/2020.

Declaration of Emergency Directive 024, Section 6 - 6/24/2020.

Nevada Medical Advisory Team: Guidance on Directive 24: Face Coverings - 6/24/2020.

2. Alvaro Drywall LLC – Inspection 1519077

Nevada Revised Statutes 618.375(2): Duties of employers. Every employer shall furnish and use such safety devices and safeguards, and adopt and use such practices, means, methods, operations and processes as are reasonably adequate to render such employment and places of employment safe and from COVID-19 exposure, and comply with all orders issued by the Division. The employer did not ensure the use of safety devices and safeguards, and adopt and use such practices, means, methods, operations and processes as were reasonably adequate to render such employment and places of employment safe from COVID-19 exposure.

On 3/11/2021, three employees were observed in the garage of the dwelling unit under construction working within 6 feet of each other and were not wearing face coverings. The observed conditions and practices resulted in employee exposure to infection from COVID-19 which is a recognized serious

hazard to employee health. Corrected During the Inspection: The employer ensured face coverings were being used and all employees donned face coverings.

References:

Division of Industrial Relations - Updated Guidance for Business Operations During Nevada's "Statewide Pause" - 11/24/2020.

Declaration of Emergency Directive 024, Section 5 - 6/24/2020. Declaration of Emergency Directive 024, Section 6 - 6/24/2020.

Nevada Medical Advisory Team: Guidance on Directive 24: Face Coverings - 6/24/2020.

Alvaro Drywall LLC was previously cited for a violation of this occupational safety and health standard or its equivalent standard NRS 618.375(2), which was contained in OSHA inspection number 1472604, citation number 1, item number 1, and was affirmed as a final order on 8/31/2020, with respect to a workplace located at the High Sierra Fellowship project on Gilman Ave, Gardnerville, NV 89410.

3. Schuhmacher & Schuhmacher, Incorporated – Inspection 1519610

Nevada Revised Statutes 618.375(2): Duties of employers. Every employer shall furnish and use such safety devices and safeguards, and adopt and use such practices, means, methods, operations and processes as are reasonably adequate to render such employment and places of employment safe and comply with all orders issued by the Division.

On 3/15/2021 the employer did not ensure the use of safety devices and safeguards, and adopt and use such practices, means, methods, operations, and processes as were reasonably adequate to render such employment and places of employment safe from COVID-19 exposure. Upon entering the establishment, in the front reception area, two employees were observed not wearing face coverings and/or interacting with each other within proximity of less than six feet. The observed conditions and practices resulted in employees being unprotected from COVID-19 infection.

Abated During Inspection: The employer enforced the use of adequate face coverings.

References: Declaration of Emergency Directive #003, 3/20/2020, #024, 6/24/2020

4. Battle Born Ammunition & Firearms, Inc. – Inspection 1522702

Nevada Revised Statutes 618.375(2): Duties of employers. Every employer shall furnish and use such safety devices and safeguards, and adopt and use such practices, means, methods, operations and processes as are reasonably adequate to render such employment and places of employment safe and comply with all orders issued by the Division. The employer did not ensure the use of safety devices and safeguards, and adopt and use such practices, means, methods, operations and processes as were reasonably adequate to render such employment and places of employment safe from COVID-19 exposure and/or did not comply with all orders issued by the Division.

On 3/26/2021, an employee working at Battle Born Ammunition & Firearms, Inc. at 4630 US Highway 50 E, Unit 7, Carson City, Nevada 89701 was observed to be in areas of the workplace accessible to the public and other workers and was not adequately protected against COVID-19 contraction. An employee of the establishment was not wearing a face covering. Further, the employer was not enforcing the face

covering requirement of their employees and customers. Two customers were observed in the establishment without wearing face coverings. During a previous observation of the establishment on 3/25/2021, two employees and two customers were observed not wearing face coverings. The observed conditions and practices resulted in employee exposure to infection from COVID-19 which is a recognized serious hazard to employee health.

References:

Division of Industrial Relations - Updated Guidance for Business Operations During Nevada's "Statewide Pause" - 11/24/2020.

Declaration of Emergency Directive 021 - 5/28/2020. Declaration of Emergency Directive 024 - 6/24/2020.

Nevada Medical Advisory Team: Guidance on Directive 24: Face Coverings - 6/24/2020.

5. Park MGM Las Vegas – Inspection 1505640

Nevada Revised Statutes 618.375(1): Duties of employers. Every employer shall furnish employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his or her employees.

The employer did not ensure that employees were protected from recognized hazards that are likely to cause serious physical harm. Employees were exposed to recognized crush-by hazards created by the use of storage racks. Storage racks were not anchored to the floor in multiple locations throughout the warehouse. Additionally, anchor plates were observed unsecured and missing in at least 4 locations (aisles locations: BA, BD, BG and JA). The storage racks were located in the warehouse area of the property and were at risk of being tipped over or collapsing while pallets of dry goods and non-food items, such as alcohol and cups were being loaded and unloaded with a Clark stacker (serial number RID600951). Employees operating the Clark stacker near the unsecured storage racks were exposed to recognized crush-by hazards that are likely to cause death or serious physical harm in the event of a storage rack tipping or collapsing.

Reference: Section 1.4.7 and 1.4.9 of ANSI MH16.1-2008 Specification for the Design, Testing and Utilization of Industrial Steel Storage Racks.

Section 1.4.7 Column Base Plates and Anchors The bottom of all columns shall be furnished with column base plates, as specified in Section 7.2. All rack columns shall be anchored to the floor with anchor bolts capable of resisting the forces caused by the horizontal and vertical loads on the rack.

A feasible means of abatement would be for the employer to follow the requirements of American National Standards Institute (ANSI) MH16.1-2008. The employer must ensure that column base plates of each storage rack are properly anchored to the floor.

6. LVGV, LLC dba The M Resort Spa and Casino – Inspection 1512914

Nevada Revised Statutes 618.375(1):Duties of employers. Every employer shall furnish employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his or her employees.

The employer did not furnish a place of employment free from recognized serious struck-by and crushing hazards presented by electric horizontal cold storage doors. In the warehouse and main kitchen areas, employees entered into freezer rooms via these doors (make: R Plus, model: Single Electric Sliding Door with Automatic Operator). The cold storage doors were labeled: (B) Wine Refrigerator, (G) Dairy Box, (H) Freezer, (I) Beer Refrigerator, (J) Produce Refrigerator, and kitchen freezer door (no label). The doors were opened and closed by a pull string switch, but the door did not have properly installed reversing-edge sensors that activated when contacted, or any other form of safety device. If properly installed, reversing-edge sensors would cause the doors to open back up if an employee was within the path of the closing door, preventing the employee from being struck by or crushed by the closing door. Employees were potentially exposed to struck-by and crushed-by hazards that were likely to cause death or serious physical harm in the event a door closed on, or entrapped, an employee.

Reference - ANSI-BHMA A156.10 - 2005 Power Operated Pedestrian Doors

Section 4.2: No matter what the configuration or system, automatic sliding doors shall include sensors or control mats. Reference - UL Whitebook 2015-16 Door, Drapery, Gate, Louver and Window Operators and Systems (FDDR): Special care should be exercised during installation to ensure that recommended safety devices, such as photoelectric sensors or reversing-edge switches, are properly installed.

Reference - R Plus Cold Storage Doors Manufacturer Installation Manual, 2020.

Page 3, Important Safety instructions: CAUTION: After changing any parts on the Door, always check that door tightness, anti-jump devices and safety edge sensors are working properly. CAUTION: Inspect the Door regularly for proper operation and maintenance. Follow instructions listed in the Periodic Maintenance section.

A feasible means of abatement would be for the employer to follow the requirements of the following: American National Standards Institute - Builders Hardware Manufacturers Association (ANSI-BHMA) A156.10 - 2005 Power Operated Pedestrian Doors; UL Whitebook 2015-16 Door, Drapery, Gate, Louver and Window Operators and Systems (FDDR); and the R Plus Cold Storage Doors Manufacturer Installation Manual, 2020. The employer must ensure that the doors have properly installed reversing-edge sensors that activate when contacted, or by means of control mats.

7. JC Hospitality LLC dba Virgin Hotels Las Vegas – Inspection 1521994

Nevada Revised Statutes 618.375(2): Duties of employers. Every employer shall furnish and use such safety devices and safeguards, and adopt and use such practices, means, methods, operations and processes as are reasonably adequate to render such employment and places of employment safe and comply with all orders issued by the Division.

The employer did not ensure the use of safety devices and safeguards, and adopt and use such practices, means, methods, operations and processes as were reasonably adequate to render such employment and places of employment safe from COVID-19 exposure, in the following instances:

1. Employees did not maintain a minimum social distance of six feet from other employees/persons/patrons during a grand opening ceremony at the front entrance area.

2. Employees did not maintain a minimum social distance of six feet from other employees while drinking water inside the valet booth areas.

3. The employer did not provide alcohol-based hand rubs when soap and running water was not immediately available in the valet booth work areas.

References:

Declaration of Emergency Directive 021: Phase II Reopening Plan 5/28/2020

Declaration of Emergency Directive 024: Phase II Reopening Plan 6/25/2020

NVOSHA Updated Guidance for Business Operations During Nevada's "Statewide Pause" Effective November 24, 2020

8. MGNV, LLC dba Mohegan Sun Casino Las Vegas – Inspection 1521995

Nevada Revised Statutes 618.375(2): Duties of employers. Every employer shall furnish and use such safety devices and safeguards, and adopt and use such practices, means, methods, operations and processes as are reasonably adequate to render such employment and places of employment safe and comply with all orders issued by the Division.

The employer did not ensure the use of safety devices and safeguards, and adopt and use such practices, means, methods, operations and processes as were reasonably adequate to render such employment and places of employment safe from COVID-19 exposure, in the following instances:

1. The employer permitted persons/patrons to not utilize face coverings while being within six feet of employees while playing blackjack and other table games.

2. The employer permitted persons/patrons to not maintain a minimum social distance of six feet from employees while playing blackjack and other table games.

References: Declaration of Emergency Directive 021: Phase II Reopening Plan 5/28/2020

Reference: Declaration of Emergency Directive 024: Phase II Reopening Plan 6/25/2020

9. World's Best Corndogs – Inspection 1522284

Nevada Revised Statutes 618.375(2): Duties of employers. Every employer shall furnish and use such safety devices and safeguards, and adopt and use such practices, means, methods, operations and processes as are reasonably adequate to render such employment and places of employment safe and comply with all orders issued by the Division.

The employer did not ensure the use of such safety devices and safeguards, and adopt and use such practices, means, methods, operations and processes as were reasonably adequate to render such employment and places of employment safe from COVID-19 exposure. Two employees working in a food truck were observed not wearing face coverings and/or interacting with each other and the public within proximity of less than six feet. The observed conditions and practices exposed employees to COVID-19 infection.

References: Declaration of Emergency Directive [021], Sections [3, 5 & 12] - [May 28, 2020]

Roadmap to Recovery for Nevada Food Establishments, Food Truck [Letter to General Industry] - 03/01/2021

10. PurFoods, LLC – Inspection 1524012

Nevada Revised Statutes 618.375(2): Duties of employers. Every employer shall furnish and use such safety devices and safeguards, and adopt and use such practices, means, methods, operations and processes as are reasonably adequate to render such employment and places of employment safe and comply with all orders issued by the Division.

At the PurFoods, LLC workplace, The employer did not ensure the use of safety devices and safeguards, and adopt and use such practices, means, methods, operations and processes as were reasonably adequate to render such employment and places of employment safe from COVID-19 exposure. The available seating at the tables inside the breakroom were not separated at least six feet apart to allow employees to practice social distancing in compliance with the Governor's Mandate at the time of the inspection. Employees utilized the tables and available seating in the break room during their break times and sat within approximately three feet of each other. The employer did not ensure the available seating at the tables inside the breakroom were separated at minimum six feet apart to allow employees to practice social distancing.

References: Nevada's Roadmap to Recovery Transition Plan (Updated March 15, 2021)

Declaration of Emergency Directive 021 - Phase Two Reopening Plan Section 12: All employers must take proactive measures to ensure compliance with the social distancing and sanitation guidelines. All employers shall continue to require employees who interact with the public to wear face coverings, to the maximum extent possible, and shall abide by all other guidelines promulgated by NV OSHA.

11. Gladstone Industries Corporation – Inspection 1529974

Nevada Revised Statutes 618.375(1): Duties of employers. Every employer shall furnish employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his or her employees.

The employer did not ensure that employees were protected from recognized hazards that are likely to cause serious physical harm. In the west foundry room area, an employee obtained metal casings from a four-shelf steel storage rack (make: unknown). The combined weight of the metal casings stored on the storage rack was approximately 390 pounds. The storage rack columns were not anchored to the floor with anchor bolts, nor was a plaque displayed to show the maximum permissible load of the rack. Employees working in the area were potentially exposed to recognized serious crush-by injuries as a result of the unsecure and unlabeled storage rack.

Reference ANSI MH 16.1 Specification for Design, Testing, and Utilization of Industrial Steel Storage Racks. American National Standards Institute (ANSI) standard MH16.1-2012 (a revision of MH16.1-2008): Specifications for the Design, Testing and Utilization of Industrial Steel Storage Racks, which includes, among others, the following:

Section 1.4.2 Plaque The owner is responsible for displaying in one or more conspicuous locations a permanent plaque(s). Plaques shall show in clear, legible print (a) the maximum permissible unit load

and/or maximum uniformly distributed load per label, (b) the average unit load if applicable and (c) maximum total load per bay.

Section 1.4.7 Column Base Plates and Anchors: The bottom of all columns shall be furnished with column base plates, as specified in 7.1. All rack columns shall be anchored to the floor with anchor bolts, which shall be designed in accordance with Section 7.3, to resist all applicable forces as described in Section 2.1 or Section 2.2.

A feasible means of abatement would be for the employer to follow the requirements of American National Standards Institute (ANSI) MH16.1-2012. The employer must ensure that column base plates of each storage rack are properly anchored to the floor and that capacity plaques are displayed in one or more conspicuous locations

Division of Industrial Relations Advisory Council

**Worker safety issues for the underground tunneling project for the Encore, Convention Center,
Resorts World and 28-mile loop on Las Vegas Blvd.**

October 12, 2021

Boring Company Construction Briefing

October 6, 2021

On October 6, 2021, representatives of the Boring Company and the Division of Industrial Relations held a meeting to discuss the scope of the project and address worker safety issues related to the underground tunnel project. Below is a summary of concerns raised by stakeholders prior to this meeting, and their respective responses.

For the Boring Company

Adam DeJong, Construction Director

Steve Stier, Safety Manager

Ashley Steinberg, Legal Counsel/Safety Committee

For the Division of Industrial Relations

Victoria Carreon, Administrator (DIR)

William Gardner, Chief Administrative Officer (OSHA)

Todd Schultz, Chief Administrative Officer (SCATS)

Jeff Bixler, Chief Administrative Officer (MSATS)

Stephen Rodgers, Program Coordinator (SCATS)

Jimmy Andrews, Program Coordinator (OSHA)

Michael Rodrigues, Program Coordinator (OSHA)

Nick LaFronz, District Manager (OSHA – South)

Concern 1: Employees are not accounted for while working inside of the tunnel.

Response: Approximately 9 employees will work inside of the tunnel at any given time. Approximately 3 employees will work outside of the tunnel in a support role. The company will maintain 2 active shifts for a total of approximately 24 employees involved with tunnel operations. Employees entering the tunnel will utilize a physical tag system placed at the entrance of the tunnel. The employee will move their respective tag from “outside” to “inside” when entering the tunnel. This is called a “brass in / brass out” system and is a recognized mining safety practice.

Concern 2: Atmosphere monitoring is not conducted or is not conducted to the extent necessary for worker safety.

Response: The employer has a 4-hour monitoring schedule that monitors for hazardous gases (CO, CO₂), oxygen levels (O₂), and lower explosive limits (LELs). The employer will monitor continuously when job duties require it such as, but not limited to, welding operations. Additionally, the cutting head of the drill has an atmosphere monitor equipped that continuously monitors for hazardous gases and LELs.

Additionally, no gas-powered vehicles will be utilized to transport materials and personnel. The employer will utilize electric mining service vehicles. These vehicles are utilized as a recognized mining safety practice.

Concern 3: Employees are not trained on the hazards of the job they are performing.

Response: Employees conduct pre-shift training prior to each shift. The training includes a stretch and flex component, a review of the job hazard analysis documentation, and a relevant safety tailgate. Additionally, due to the unique type of work being performed. If new safety trends are identified, those are discussed as part of the pre-shift process. Safety committee discussions are also performed at the start of the shift as needed.

If an incident occurs, an immediate safety standdown is performed to address the issue and identify how the issue will be corrected moving forward.

Concern 4: Employees are exposed to unsupported excavation conditions.

Response: The employer utilizes pressure monitors located throughout the tunnel. It is reported that the sensors are sensitive enough to detect an eighth of an inch of dirt movement. Each phase of the tunnel project is preceded by a geotechnical survey of the soil conditions prior to tunneling. During the tunneling phase which takes approximately 20 to 40 minutes, employees do not access the tunnel. Employees access the tunnel to erect the ring wall structures behind the drill equipment.

If dirt movement is detected, all boring activity ceases. Employees are notified by the command office to evacuate the tunnel, and an investigation is immediately performed to determine the cause of the issue. The employer referenced an incident where a forklift was driving above ground and struck an object above the tunnel project. This caused the sensors to trip and an evacuation was performed until the root cause was identified. This incident occurred at the now completed tunnel project at LVCC and has been the only incident identified by the employer at the tunnel projects.

Concern 5: No means of emergency response / rescue is provided by the employer.

Response: The employer has created an emergency response and rescue plan. A trained rescue team consists of the on-site crew. Auxiliary crew from the other shifts are located within a half-hour drive from the jobsite. Equipment for rescue purposes is stored at the command center/convention center location. The tunnel operation has implemented fire / life safety systems which include the ability to monitor and direct air flow through the tunnel. Additionally, lighting conditions can be adjusted/configured from the external command center. An emergency phone system has been installed throughout the tunnel that provides a directly connected line to the safety office outside the tunnel.

The employer has coordinated with local fire departments. Drills with technical rescue teams from Las Vegas fire were performed on a completed segment of the project with Station 33 in Las Vegas, and there are plans to conduct drills in the construction-phase of the project in the coming weeks.

Concern 6: Potential Hazard Similarities to the Lake Mead Tunnel Project

An incident was discussed with the employer related to a fatality at the Lake Mead Tunnel Project. A different employer was involved with this incident; however, the employer addressed the hazards that were identified at the Lake Mead Tunnel Project. An employee was fatally struck by a piece of grout that was ejected from behind the ring wall as a result of over pressurization behind the ring wall. The employer indicated that these hazards would not be present at this jobsite. The pressure was attributed to the tunnel being built under a large body of water. The tunnels being built in the Las Vegas Strip area are being built at depths no greater than 30 feet where the hazards of pressure are not recognized to the extent of the Lake Mead Tunnel project. This is supported by the employer's geotechnical reports.

Division of Industrial Relations Site Visit

At the conclusion of the meeting, the employer agreed to a site visit of the tunnel during the month of November with representatives from Division of Industrial Relations. This site visit would take place during an active tunneling phase of the project and a site tour would be conducted at a completed segment of the tunnel project.

Division of Industrial Relations Advisory Council

Discussion on the development of worker safety standards during periods of hazardous air quality due to wildfires.

October 12, 2021

Background

Wildfire smoke is known to regularly blanket broad regions of Nevada. The presence of smoke from wildfires directly impacts both indoor and outdoor air quality in regions where smoke is present. Wildfire smoke is composed of small particles suspended in the air that present a health hazard for workers exposed to it. These particles can irritate the lungs and have a range of potentially serious health effects from permanently reduced lung function to heart failure.

Air quality is monitored using the EPA Air Quality Index (AQI) which identifies the level of air pollution. The EPA Air Quality Index categories are separated into 6 levels of concern. They are:

- 0 to 50 – Good
 - Air quality is satisfactory and poses little or no risk.
- 51 to 100 – Moderate
 - Air quality is acceptable. There may be a risk for some people who are unusually sensitive to air pollution.
- 101 to 150 – Unhealthy for Sensitive Groups
 - Members of sensitive groups may experience health effects.
- 151 to 200 – Unhealthy
 - Some members of the general public may experience health effects. Sensitive groups may experience more serious health effects.
- 201 to 300 – Very Unhealthy
 - Health alert: The risk of health effects is increased for everyone.
- 301 and higher – Hazardous
 - Health warning of emergency conditions: Everyone is more likely to be affected.

Recent AQI trends in northern Nevada indicate significant patterns of hazardous outdoor air quality, with some localized monitoring stations in and around Reno, Carson City, Stateline, Virginia City, and Minden/Gardnerville showing AQI levels at or above 450.

Nevada OSHA has not currently set an outdoor air quality standard. In general, outdoor air quality is highly variable depending on location, altitude, and weather conditions. Employers are expected to monitor working conditions at any location where their employees are performing work, to identify hazards that are causing or are likely to cause harm to their employees, and to implement effective methods to control those hazards. If the agency determines that workers are exposed to an uncontrolled hazard based on the outdoor air quality at their workplace, the agency could consider an enforcement action citing Nevada Revised Statutes section 618.375(1), better known as the general duty clause.

Nevada OSHA is seeking information and discussion on the development of worker safety standards during periods of hazardous air quality due to wildfires. In seeking information, Nevada OSHA has

identified at least 3 other State OSHA Plans that have enacted either temporary rules or promulgated standards for enforcing safety and health requirements related to wildfires.

California Code of Regulations, Title 8, Section 5141.1 Summary

Which employers must comply with the regulation?

Employers with workplaces and operations must comply with the full standard when both of the following conditions apply:

The current AQI for PM2.5 is 151 or greater, regardless of the AQI for other pollutants

The employer should reasonably anticipate that employees may be exposed to wildfire smoke

Which employers are exempt from compliance with the regulation?

Employers with workplaces and operations in any of the following conditions are exempt from complying with section 5141.1:

Enclosed buildings or structures in which the air is filtered by a mechanical ventilation system and the employer ensures that windows, doors, bays and other openings are kept closed, except when it is necessary to open doors to enter or exit.

Enclosed vehicles in which the air is filtered by a cabin air filter and the employer ensures that windows, doors and other openings are kept closed, except when it is necessary to open doors to enter or exit the vehicle.

The employer demonstrates that the concentration of PM2.5 in the air does not exceed a concentration that corresponds to a current AQI of 151 or greater by measuring PM2.5 levels at the worksite in accordance with Appendix A

Employees exposed to a current AQI for PM2.5 of 151 or greater for a total of one hour or less during a shift

Firefighters engaged in wildland firefighting

What does the regulation require?

Section 5141.1 created the following requirements for employers to protect workers from wildfire smoke:

Identification of Harmful Exposures (subsection c) – For worksites covered by the regulation, employers (with certain exceptions) must determine employee exposure to PM2.5 at the start of each shift and periodically thereafter, as needed.

Communication (subsection d) – Employers must implement a system for communicating wildfire smoke hazards in a language and manner readily understandable by employees.

Training and instruction information (subsection e and Appendix B) – For worksites covered by the regulation, employers must provide effective training that includes at least the information contained in Appendix B.

Control of harmful exposures to employees (subsection f) – With certain exceptions, employers must reduce workers' exposure to wildfire smoke in the following ways:

If feasible, by providing an enclosed location with filtered air so that employee exposure to PM2.5 is less than a current AQI of 151, or to the extent feasible.

If that is not feasible or adequate, by relocating to another outdoor location where the current AQI for PM2.5 is lower, changing work schedules, reducing work intensity, or providing more rest periods.

With respiratory protective equipment if employers cannot reduce workers' exposure to PM2.5 to a current AQI of less than 151.

Where the current AQI for PM2.5 is from 151 to 500, employers must provide a sufficient number of NIOSH-approved particulate respirators, such as N95 masks, to all employees for voluntary use, and training on the regulation, the health effects of wildfire smoke, and the safe use and maintenance of respirators.

Where the current AQI for PM2.5 is higher than 500, the employer must provide and require employees to use NIOSH-approved particulate respirators that will reduce employee exposure to PM2.5 to an equivalent of an AQI less than 151.

Washington Administrative Code 296-62-085

Temporary Rule (Effective July 16, 2021 to November 13, 2021)

In general, covered employers must:

Include wildfire smoke precautions in their Accident Prevention Program.

Determine employee exposure to PM2.5 before and periodically during each shift when smoke is present.

Train employees who work near wildfire smoke with PM2.5 levels of 20.5 µg/m³ (WAQA 101, AQI 69) or more.

Inform employees of available protective measures against wildfire smoke.

Encourage employees to report worsening air quality and any health effects resulting from poor air quality.

Be prepared to respond appropriately to any employee with symptoms of wildfire smoke exposure.

When wildfire smoke conditions are particularly severe (minimum AQI 151, WAQA 173, PM2.5 55.5 µg/m³), employers must:

Alert employees of the air quality hazard.

Implement feasible exposure controls to protect workers from wildfire smoke.

Provide respirators and encourage their voluntary use.

Oregon Executive Order 20-04

Temporary Rule (effective August 9, 2021)

Oregon is seeking to propose a standing rule as of September 2021. Oregon provides a comparison between its rule and the Washington/California rules.

Oregon OSHA (in consultation with the Oregon Health Authority) has been working on a rule addressing the hazards of wildfire smoke in response to Executive Order 20-04, with the expectation that a proposed rule would be filed before the end of September. However, Oregon OSHA has adopted a temporary rule to address the 2021 fire season. The rule takes effect August 9, with the training requirements effective on August 16. As with other temporary rules, Oregon OSHA's rule attempts to balance the potential health consequences against what is possible and appropriate in the context of a temporary rule – it does not reflect the scope of what would be considered in a permanent rule addressing the same issues.

This document also provides an abbreviated comparison with the existing California rule and the recently adopted Washington emergency rule.

A. The rule requires employers to provide training about the hazards of wildfire smoke and how to address them to employees who will encounter such hazards.

The rule requires employers to provide training before exposing employees to wildfire smoke when the AQI is at or above 101 (other than intermittent exposure of less than 15 minutes in an hour or short duration exposure of less than two hours in a single 24-hour period).

In contrast, the California rule applies when the AQI exceeds 151 (other than short duration exposure of less than one hour per shift). The new Washington rule effectively requires training whenever an employer anticipates employees may be exposed to wildfire smoke above an AQI of 69 (other than short duration exposure of less than one hour per shift).

B. The rule requires employers to make respirators available to employees who will encounter such hazards.

The rule requires employers to make respirators available for voluntary use when the AQI is at or above 101 (other than intermittent exposure of less than 15 minutes in an hour or short duration exposure of less than two hours in a single 24-hour period).

In contrast, the California rule requires such availability for voluntary use when the AQI exceeds 151, while the Washington rule requires it when the AQI exceeds 69.

C. The rule requires the use of feasible engineering or administrative controls to reduce exposures below an AQI of 201.

The rule requires the use of engineering controls (such as providing enclosed buildings, structures, or vehicles where the air is adequately filtered) or administrative controls (such as relocating work or changing work schedules) to reduce exposures when the AQI is at or above 201. It does not include a hierarchical preference between the two approaches.

The California rule requires such controls at an AQI of 151 when feasible, but it reflects a preference for engineering controls over administrative controls. The Washington rule encourages exposure controls at an AQI of 69 and requires them if feasible at an AQI of 151. Like Oregon, Washington's rule treats administrative and engineering controls as equivalent.

D. The rule requires use of respirators with minimal respiratory protection program requirements if exposure controls do not reduce exposures below an AQI of 201.

As is normally the case, the Oregon OSHA rule requires respirators to be used if engineering or administrative controls cannot reduce exposures to below the required level. However, because the goal is risk reduction of a health hazard unlikely to present an acute risk, the Oregon rule also minimizes the resulting Respiratory Protection Program requirements, focusing on training and the use of seal checks in the absence of required fit tests to significantly reduce airborne exposures (even if the normal 95 percent reduction is not achieved). Because the health risks from the actual use of an N-95 or comparable respirator are minimal, medical evaluations to use a filtering facepiece are not required in this context. The rule allows the use of previously FDA-approved KN-95s.

Presumably, because of the burdens created by the resulting Respiratory Protection Program requirements, neither California nor Washington follows the normal approach of requiring respirators when exposure controls are not sufficiently effective. California requires employers to provide respirators and encourage employees to use them at an AQI of 151. Washington encourages employers to make respirators available at an AQI of 69 and requires employers to make them available and encourage employees to use them at an AQI of 151. California's rule predates last year's widespread use of KN-95s and does not address them. Washington's rule allows them to be provided as a substitute during the current season.

E. The rule requires the use of respirators with a complete Respiratory Protection Program at an AQI at or above 501.

When exposures are at or above an AQI of 501, Oregon's rule requires the use of respirators, including the full Respiratory Protection Program requirements. At this higher level, KN-95s are no longer an option.

The California rule includes the same requirement at the same trigger. The Washington rule never requires respirators.

F. The rule would apply to transit such as buses and light rail where the continual opening of the door makes it impossible to protect the indoor environment from the smoke outdoors.

Neither the California nor Washington rule explicitly address this issue, leaving it to be assessed on a case by-case basis.

G. The rule would have limited application to wildland firefighting and other emergency response activities.

The rule would require training and the availability of respirators when they do not create a greater hazard in such operations. They would not be required to implement exposure controls or require respirator use.

The Washington and California rules both exempt wildland firefighting and requires respirators to be made available for voluntary use at an AQI of 151 or greater for other emergency response activities. Worker advocates have reacted strongly to such limited protection, particularly for firefighters and support personnel in fire camps. The narrowed application reflected by Oregon's rule emphasizes employee training on the hazards of wildfire smoke and appears to strike an appropriate balance for greater hazard situations that make respirators inappropriate, which are experienced at times by firefighters, emergency responders and utility workers during large scale wildfire events.