

DIVISION OF INDUSTRIAL RELATIONS ADVISORY COUNCIL
Minutes of the Meeting, Tuesday, April 02, 2024

1. Call to Order and Roll Call

At 10:07 a.m. on April 02, 2024, the meeting of the Advisory Council for the Division of Industrial Relations (DIR) was called to order by Chairman Paul McKenzie. Roll Call was taken by Marisa Santizo. Paul McKenzie, Robert Benner, Jeff Seavey, Susan Martinez, Vincent Saavedra, and Maureen Ostby attended via WebEx. It was determined a quorum was present. DIR staff present at the Las Vegas Office were Victoria Carreon, Jodi McCollins, Todd Schultz, Christopher Eccles, Brennan Paterson, William Gardner and Marisa Santizo. Jodie Tonkin, and Rodney Neils attended the meeting via WebEx. Sam Taylor from the Attorney General's Office attended via WebEx.

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 – January 09, 2024.

Susan Martinez made a motion to approve the minutes of the January 09, 2024, meeting as presented. Jeff Seavy seconded the motion. The motion was approved unanimously.

4. FOR DISCUSSION: Division of Industrial Relations Activity Update

a. Administrator's Update (Victoria Carreon)

Administrator Carreon announced that the Las Vegas Office will be moving to a new location approximately in May 2024. Administrator Carreon also discussed Strategic plan development and budget priorities for FY 2026 and FY 2027.

b. Deputy Administrators Update (Jodie M. Tonkin)

Deputy Administrator Tonkin provided a few CARDS enhancement updates. Ms. Tonkin stated that \$2.1 million dollars was provided by Legislature to upgrade the database used by the Workers' Compensation Section. She also discussed enhancement priorities such as creating the capability to make online payments.

c. Mechanical Compliance Section-MCS (Brennan Paterson)

Brennan Paterson shared that at the end of February 2023, Nevada had 15,578 active elevators and 23,279 active boilers and pressure vessels. Mr. Patterson also discussed that recent enforcement activities at area hospitals have resulted in the discovery of boilers and pressure vessels installed illegally and in substandard fashion, as well as elevators being altered without permit and with poor workmanship and how working with the hospitals dangers have been averted and contractors have been penalized.

d. Mine Safety and Training Section-MSATS (Rodney Neils)

Rodney Neils gave an update on the Mine Safety and Training Section and discussed that 402 safety/health inspections were completed. Mr. Neils also highlighted that they have provided 424 hours of training to approximately 1100 participants.

e. Occupational Safety and Health Administration-OSHA (William Gardner)

William Gardner shared that Nevada OSHA completed the agency's response to Federal OSHA's FAME audit on 3/14/2024. Mr. Gardner also discussed OSHA's enforcement compared to national averages such as higher average penalties per violation and having higher retention of penalties after issuance.

f. Safety Consultation and Training Section-SCATS (Todd Schultz)

Todd Schultz shared that SCATS has completed a total of 544 Safety and Health Consultations. Mr. Schultz also shared that SCATS provided 758 hours of safety and health training with 3,738 participants trained.

g. Worker's Compensation-WCS (Jodi McCollins)

Jodi McCollins discussed a few accomplishments within the Workers Compensation Unit such as policy cancellations being investigated increased by 4% in 2023 to 28,264 statewide. Another accomplishment was that three new positions were approved by the IFC to support SB274 and they are actively recruiting for those positions.

5. Regulations Update (Christopher Eccles)

a. Proposals to repeal, streamline, and clarify regulations pursuant to Executive Order 2023-008

Senior Attorney Chris Eccles explained that regulation drafts for executive order 2023-008 were sent to LCB on 7/27/23 and they have until 7/27/25 to adopt the regulations. R025-23P has an adoption hearing scheduled for 4/08/24. For R026-23I, the Legislative Counsel Bureau is still working on the proposed draft. For R027-23AP and R028—23AP both these regulations were approved by the Legislative Counsel Bureau and became law on February 27, 2024.

b. Regulation Implementing Legislation

Senior Attorney Chris Eccles explained that R076-23P makes changes related to SB274 and AB244. DIR staff are currently working with LCB on an amended proposed draft.

c. Heat Illness

Senior Attorney Chris Eccles discussed that DIR had a heat regulation that did not pass. They are currently working with stakeholders to develop a regulation. A stakeholder meeting is being held on 4/08/24.

6. Review and comments on OSHA quarterly complaint report for October –December 2023 (NRS 618.336 and NRS 232.600) (William Gardner)

No questions or comments.

7. Review of OSHA quarterly report on violations of NRS 618.375 for October –December 2023 (NRS 618.347) (William Gardner)

No questions or comments.

8. Agenda items for next scheduled meeting. (Chair)

Chairman Paul McKenzie asked if the Mechanical Compliance Unit can provide more information on laws and NACs and how they work with employers.

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

No recommendations at this time.

10. Public Comment (Chair)

No items for public comment were raised.

11. Adjournment:

Motion to adjourn at 11:08 am by Susan Martinez and seconded by Robert Benner.