

**DIVISION OF INDUSTRIAL RELATIONS ADVISORY COUNCIL  
Minutes of the Meeting, Monday, October 17, 2022**

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

At 10:00 a.m. on October 17, 2022, the meeting of the Advisory Council for the Division of Industrial Relations (DIR) via videoconference between Las Vegas DIR and Carson DIR office was called to order by Interim chairman Rusty McAlister. Roll Call was taken by Marisa Santizo. The board member present in the Carson City office was Ian Langtry. Maureen Ostby was present in the Las Vegas office. William Spiegel and Raymond McAlister attended via WebEx. It was determined a quorum was present. DIR staff present at the Las Vegas Office were Victoria Carreon, Brennan Paterson, Stephen Rodgers, Christopher Eccles, William Gardner, and Marisa Santizo. Jodie Tonkin and Jeff Bixler attended in the Carson City office. Karissa Neff from the Attorney General's Office attended via WebEx.

**2. Public Comment**

No public comment.

**3. Approval of Minutes of Previous Meeting – July 15, 2022.** Ian Langtry made a motion to approve the minutes of the July 15, 2022, meeting as presented. William Spiegle seconded the motion. The motion was approved unanimously.

**4. Division of Industrial Relations Overview and Update (Victoria Carreon)**

Victoria Carreon presented a PowerPoint to give an update on the Division of Industrial Relations major accomplishments and budget priorities for FY 2024 and FY 2025.

**5. Regulation Update (Christopher Eccles, Brennan Paterson, and William Gardner)**

**a. Mechanical Compliance Section (Brennan Paterson)**

1. **R033-21A:** This regulation has gone through the Legislative Committee and was acted on by the Secretary of State. It has also brought the Nevada Administrative Code in line with the requirements of the statutes regarding water heaters.
2. **R034-21RP1:** This regulation will adopt the hydrogen technology code. The final adoption hearing is scheduled for November 1, 2022.

**b. OSHA (William Gardner)**

1. **R053-20RA: Heat Illness.** This regulation includes requirements to create a heat illness program at a trigger of 90 degrees Fahrenheit. The regulation was adopted by the Division of Industrial Relations and was sent to the Legislative Commission during their April meeting. There are no further updates at this time.

**c. Workers' Compensation (Chris Eccles)**

1. **R134-20A:** This regulation was adopted by DIR within the two-year period of being sent to the LCB and is currently pending at the Legislative Commission.

2. **R032-21RPI**: This regulation is set for an adoption hearing that will take place on November 10, 2022.

6. **Review and comments on OSHA quarterly complaint reports January – March 2022 (NRS 618.336 and NRS 232.600) (William Gardner)**

No questions or comments.

7. **Review of OSHA quarterly reports on violations of NRS 618.375 April – June 2022 (NRS 618.347) (William Gardner)**

No questions or comments.

8. **Discussion of Items requested for follow up from July 15, 2022, Meeting: (William Gardner & Christopher Eccles)**

- a. **City of Sparks firefighter staffing and safety concerns**: This matter is currently under investigation.
- b. **Potential tort liability and workers' compensation liability for fire fighter staffing and safety issues at the City of Sparks Fire Department**: Chris Eccles provided a memo discussing NRS 616A to 616D. He explained the rights and remedies exclusive, terms and conditions for payment of compensation conclusive, compulsory, and obligatory application of exclusive remedies to certain employers.

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

Rusty McAlister requested for OSHA to add an item to the agenda addressing any updates to City of Sparks firefighter staffing and safety investigation.

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

No recommendations at this time.

11. **Public Comment (Chair)**

No public comments.

12. **Adjournment:**

Motion to adjourn at 11:00 am by Maureen Ostby and seconded by Ian Langtry.