

Frequently Asked Questions for Assembly Bill NO. 190 - Required Health and Safety Training for Entertainment Industry Workers and Supervisors

1. Is the new statute in effect?

Yes – the new statute came into effect on January 1, 2018.

2. Is the Department of Labor Outreach Training card (OSHA 10/30) the only card that can be used for compliance with the statute?

No – During the first year of effect of the statute, an employer can offer alternate courses to employees to provide the safety training and information. After January 1, 2019, only the Department of Labor OSHA 10/30 card will be accepted for compliance with the statute.

3. Is the employer required to provide the card to employees?

No – Employers are obligated to ensure that staff have the card, but are not obligated to provide the training. The statute states in section No. 11 that no later than 15 days after the date a worker is hired, the worker must obtain, and provide to the employer, an OSHA-10/30 card, or complete an alternative course during the first year the statute is in effect.

4. Do Nevada-based businesses need to comply if their work at theatrical or entertainment events is always 15 days or less?

Maybe – If the business is 100% devoted to theatrical or entertainment production and that is all the staff does day in and day out, then their staff are required to have the OSHA 10/30 hour card or alternate training (effective January 16, 2018).

If the business occasionally does work in theatrical or entertainment production and the event lasts for longer than 15 days, the staff would need to get the OSHA 10/30 hour card.

5. Does this apply to Nevada residents and businesses only?

No – It applies to all businesses and workers performing work within the State of Nevada.

6. When does an out-of-state business have to comply with the training requirement?

When a business is involved in an entertainment or theatrical event that runs longer than 15 days.

7. Does an out-of-state business need to comply with the training requirements if it's "in Nevada" work totals more than 15 days a year?

No – The 15 day rule is applied to employee hiring and work at a singular event, and is not cumulative.

8. Does this requirement apply to workers at corporate, conference, or convention locations?

No – Corporate, conference, and convention locations are not specifically included in the identified group of regulated activities or locations.

9. Can a theater or hotel require that production staff have the 10/30 hour card even if it is not required by the statute?

Yes – Any business can choose to exceed the requirements of any safety and health statutes or regulations for their facilities.

10. Do the 10/30 hour OSHA cards expire?

Yes - In Nevada, the 10/30 hour OSHA card has a 5 year expiration based on the end date of the course that provided it.

11. Who can teach the 10/30 hour OSHA General Industry course?

A "trainer" is defined as someone who has passed the OSHA 501 course. For the purposes of this statute, an instructor will be deemed qualified if they have completed the OSHA 501 – Trainer course for General Industry standards.