

## **TO: Safety Enterprise Clients that conduct work in Nevada**

### **New safety requirements on Nevada construction sites – Nevada Assembly Bill No. 148**

Assembly Bill No. 148 requires health and safety training for construction workers and supervisors. The Worker safety bill 148 would require mandatory safety training starting Jan. 1, 2010. AB 148 was passed in response to a sharp increase in construction worker deaths at construction sites on the Las Vegas Strip over the past two years. The bill is aimed at increasing workplace safety by awareness of safety concerns and knowledge of best safety practices through training. AB 148 will require:

- All construction workers in the state to undergo an OSHA 10-hour Competent Person training course (OSHA-10) developed by the U.S. Labor Department's Occupational Safety and Health Administration (OSHA) at least once every five years;
- All Supervisors on a construction site to undergo an OSHA 30-hour safety training course (OSHA-30) approved by OSHA at least once every five years.

The Nevada Division of Industrial Relations (DIR) will adopt regulations establishing courses which may be used to satisfy the training requirements. Courses will only be permitted to be provided by OSHA-approved "trainers" who have completed the OSHA 500 course. *Safety Enterprise Trainers are certified to meet this requirement.*

This Law applies to all Employers and Employees that conduct work in Nevada.

#### **Proof of Compliance Required**

Both employees and supervisors will be required, within 15 days of hire, to present employers with proof that they completed the required coursework by showing valid "completion cards" for the appropriate course (10-hour or 30-hour).

#### **Penalties for Non-Compliance**

The AB 148 will require employers to suspend or terminate any employee who fails to provide valid proof of completion of the required training within 15 days of hire.

If an employer fails to suspend or terminate an employee that has not provided proof of training completion, the employer:

- 1) will be fined up to **\$500** for the first violation.
- 2) will be fined up to **\$1,000** for the second violation.
- 3) upon a third violation, the violation will be considered as if the employer had committed a willful violation under NRS 618.635 and could be assessed an administrative fine of **not more than \$70,000** for each violation, but **not less than \$5,000**, for each willful violation.

### **Summary**

Legislation to better protect workers after a string of construction deaths on the Strip in Las Vegas passed the Nevada State Assembly.

The bill was written after 12 construction workers on the Las Vegas Strip died in an 18-month period recently – more than the total number of deaths on the Strip construction sites in the entire 1990s, according to a series in the Las Vegas Sun.

AB148 would require that all construction workers in the state undergo a 10-hour safety training course developed by the U.S. Labor Department's Occupational Safety and Health Administration. Supervisors would be required to undergo 30 hours of training. AB 148 would require 10 hours of safety training for construction workers and 30 hours for their supervisors, starting January 1, 2010.

Assembly Bill 148 would require proof of training on all public and private projects for any and all construction workers. The only exception to the Bill would be state Department of Transportation employees.

***For more information: [http://leg.state.nv.us/75th2009/Bills/AB/AB148\\_EN.pdf](http://leg.state.nv.us/75th2009/Bills/AB/AB148_EN.pdf)***

SAFETY ENTERPRISE, INC. has both 10- and 30-hour occupational safety and health training courses in construction throughout the north west.

In summary, AB: #148 requires that Nevada employers assure as a condition of employment that all: (1) Construction workers (Skilled Trades and Labor) successfully complete the U.S. Department of Labor (DOL) Occupational Safety and Health Administration (OSHA) 10-hour Competent Person safety and health training courses in construction and (2) Supervisory employees (Project Management Executives; Project Managers; General and Field Superintendents; Supervisors and Foremen) successfully complete the U.S. DOL OSHA 30-hour Construction safety and health training courses.