**Date:** **July 13, 2023**

**To: Nevada Businesses**

**Re:** **Frequently Asked Questions (FAQ) – Mandatory OSHA-10 and 30 Training for the Entertainment Industry – Nevada Revised Statutes 618.9901 – 9913.**

1. **Who is authorized to issue OSHA 10- or 30-hour completion cards compliant with the statutes?**

The Department of Labor is the only entity authorized to issue 10- or 30-hour completion cards for compliance with the statute.

1. **Who is authorized to conduct the training required to obtain OSHA 10- and 30-hour cards?**

OSHA Outreach trainers who have received training through an [OSHA Outreach Training Center](https://www.osha.gov/otiec/text) are authorized to provide the training required to obtain either an OSHA 10- or 30-hour card.

No person other than an authorized trainer may provide an OSHA 10- or 30-hour course.

A "trainer" as defined by NRS 618.991(3)(a), is a person who is currently authorized by the Occupational Safety and Health Administration of the United States Department of Labor as a trainer, including, without limitation, a person who has completed OSHA 501, the Trainer Course in OSHA Standards for General Industry.

For a list of [OSHA Authorized Trainers](https://www.nv1030.org/trainers/) within the state of Nevada, please visit our [Safety and Consultation and Training Section’s (SCATS)](https://www.4safenv.state.nv.us/) website.

1. **Is the employer required to provide the training to employees to obtain OSHA 10- and 30-hour cards?**

No. The employer is not obligated to provide the training. Employers are obligated to ensure that “workers” or “supervisory employees”, as defined by NRS 618.9906 and .9905, respectively, present them with a current and valid completion card for either an OSHA-10 or 30 course and suspend or terminate a “worker” or “supervisory employee” employment in the event that they do not present a card.

Pursuant to NRS 618.9911, not later than 15 days after the date that either a “worker” or “supervisory employee” begins work on a site, the “worker” and/or “supervisory employee” must obtain a completion card for either an OSHA-10 or OSHA-30 course.

1. **Who is required to pay for the training to obtain OSHA 10- and 30-hour cards?**

Per NRS 618.983, the “worker” or “supervisory employee” is ultimately responsible for obtaining a completion card for either an OSHA-10 or OSHA-30 course.

1. **For work performed in the Entertainment industry, do Nevada-based businesses need to comply if their work at theatrical or entertainment events is always 15 days or less?**

Per NRS 618.9911, the provisions for a “worker” or “supervisory employee” do not apply to a worker who is employed by a single employer for a period of less than 15 days.

However, 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 obtain either an OSHA 10- or 30-hour completion card.

If the business occasionally does work in theatrical or entertainment production and the event lasts for longer than 15 days, the staff would be required to obtain either an OSHA10- or 30-hour completion card.

1. **Does the mandatory OSHA-10 and 30 training requirements apply to Nevada residents and businesses based in Nevada only?**

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

1. **Can an employer still offer alternate courses to employees to provide the safety training and information?**

No. This was acceptable during the first the statute went into effect. As of January 1, 2019, only the Department of Labor OSHA 10/30 card will be accepted for compliance with the statute.

1. **When does an out-of-state business have to comply with the mandatory OSHA-10 and 30 training requirements?**

When a business performing work in either the construction, entertainment, or convention services industries runs longer than 15 days.

1. **For work performed in the Entertainment industry, 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.

1. **For work performed in the Entertainment industry, does this mandatory OSHA-10 and 30 training requirements 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.

1. **For work performed in the Entertainment industry, can a theater or hotel require that production staff have 10- or 30-hour completion cards 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.

1. **Do the OSHA 10- and 30-hour cards expire?**

Yes. OSHA 10-and 30-hour completion cards issued for work performed in the Entertainment Industry expires 5-years after the date is it issued.

1. **How can I renew either the OSHA 10- or 30-hour completion card?**

Any completion OSHA-10- or -30-hour card used to satisfy the requirements of NRS 618.9911 can be renewed by either of the following:

1. Completing an OSHA-10 course or OSHA-30 course, as applicable, within the previous 5 years; or
2. Providing proof satisfactory to Nevada OSHA that the worker has completed continuing education within the previous 5 years consisting of job-specific training that meets the guidelines established by Nevada OSHA.
3. For a completion card issued for an OSHA-10 course, the worker is required to receive no less than 5 hours of continuing education within 5 years from the date the OSHA completion card was issued.
4. For a completion card issued for an OSHA-30 course, the worker is required to receive no less than 15 hours of continuing education within 5 years from the date the OSHA completion card was issued.
5. **What will Nevada OSHA accept as continuing education as required by the statute?**

Nevada OSHA will accept training that a worker has received, specific to their job tasks. For example, an employee receiving training in fall protection, who, as part of their regular assigned tasks, are required to work at height.

In addition, the worker may receive training based off of the modules contained in the OSHA 10-or 30-hour courses, where the modules provided have a specific and direct relation to a worker’s regular assigned tasks.