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Nevada Adopts New Heat-Illness Regulation

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On November 15, 2024, Nevada adopted a heat-illness regulation (R131-24AP) designed to protect workers from rising temperatures. Nevada's new regulation reflects a growing trend among states implementing measures to protect workers from heat illness. In July 2024, California introduced an indoor heat illness regulation, building on its long-standing outdoor heat illness requirements. For more details on the California regulation, check out our blog post.

The new Nevada regulation requires employers to conduct a job hazard analysis, maintain a written safety program, implement emergency response procedures, and provide worker training. Enforcement of the regulation will begin 90 days from the publication of the guidance.[1]

The regulation does not apply to employees working indoors or in vehicles with effective climate control systems. If the climate control system becomes non-functional, employers must make good-faith efforts to restore functionality promptly. Until restored, interim measures must address potential heat illness hazards.

According to the Division of Industrial Relations, it will publish employer guidance on its website, and the Division's Safety Consultation and Training Section will develop and post training courses on it's website in the coming weeks.

The regulation applies to employers with more than 10 employees and establishes requirements to mitigate heat illness risks. Key provisions include:

Job Hazard Analysis

Employers must conduct a one-time, written job hazard analysis to assess conditions that may cause occupational exposure to heat illness. The analysis must be updated:

- Before a task is performed for the first time by an employee.
- Whenever a task or job materially changes.

The written analysis must include:

- A list of job classifications where the majority of employees face heat illness exposure for more than 30 minutes of any 60-minute period (excluding breaks).

- A list of tasks and procedures, or closely related groups, with potential heat illness exposure in the identified job classifications.
- An assessment of working conditions without considering access to water, rest, or shade.

Written Safety Program

If the job hazard analysis identifies heat illness risks, employers must maintain a written safety program that includes:

- Provision of potable water.
- Rest breaks for employees showing signs or symptoms of heat illness.
- Means of cooling for employees.
- Monitoring of working conditions by a designated person (this does not apply to loading/unloading motor vehicles on public highways).
- Identification and mitigation of processes generating additional heat or humidity.
- Employee training.
- Emergency response procedures.

Emergency Procedures

If the job hazard analysis identifies heat illness risks, the employer must designate an employee to:

- Contact emergency medical services (EMS) and provide necessary location details.
- Ensure transportation for affected employees to a location accessible to EMS.
- Monitor working conditions contributing to heat illness risks.
- Implement the provisions of the written safety program.

Training Requirements

Employers must train each employee who is employed in a job classification identified in the job hazard analysis on:

- Recognizing heat illness hazards.
- Following procedures to minimize heat illness risks.

Next Steps

With the Nevada regulation now in effect and enforcement beginning on April 29, 2025, employers should not delay. Even as they await further guidance from the Division of Industrial Relations, employers should at least initiate their job hazard analysis to determine the necessary next steps.

[1] *Since this article was published, the Division of Industrial Relation published its guidance. Since the guidance release date was January 29, 2025, enforcement will commence April 29, 2025.*