

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
853**

WORKPLACE HEALTH AND SAFETY REQUIREMENTS

Supersedes: (Temporary, 06/23/11); 06/17/12; (Temporary, 04/24/17)
Effective Date: 05/16/17

AUTHORITY

NRS 199.300; 200.571; 200.575; 201.255; 202.840; 203.119; 207.180; 209.131; 209.382; 444.330; 446.885; 449.037; 618.353; 618.375; NAC 284.638; 284.642; 284.646; 284.650; 618.538; 618.540; 618.542

PURPOSE

To ensure that management, employees, and inmate workers work in a cooperative manner to promote health and safety in the workplace. This regulation works to prevent accidents by the establishment of health and safe working conditions through training, monitoring, reporting and corrective measures.

RESPONSIBILITY

The Compliance and Enforcement Unit is responsible to monitor the compliance of all institutions and facilities.

The Wardens/Facility Managers are responsible for the implementation of this regulation.

All employees and inmates who work in the institutions are responsible to have knowledge of and comply with this regulation.

853.01 PROCEDURE

1. The Nevada Department of Corrections is required to provide training and education to employees and working inmates, and provide a place of employment which is free from recognized hazards that cause, or are likely to cause, death or serious physical harm to employees and/or inmates. All inmates who are institutionally paid are considered to be working inmates in this Administrative Regulation. Inmates who work for other State agencies or for Prison Industries are supervised by those entities and are covered by Workers' Compensation.

2. Each supervisor shall conduct and document training for their employees and/or working inmates on health issues, pursuant to OSHA's Regulations and NDOC's Administrative Regulations on how to report unhealthy conditions to their supervisor.

3. Steps should be taken to correct any hazardous or unhealthy condition that may occur. If an unhealthy condition occurs, the employee or working inmate should report the condition to the Supervisor. The Supervisor may take corrective action themselves or submit a work order to their Maintenance section to make the correction.
4. Health hazards that are not easily correctable are to be reported immediately through the chain of command.
5. Supervisors shall ensure that they are familiar with and know how to complete the Employers Report of Industrial Injury or Occupational Disease (C-3) Report.
6. Supervisors shall ensure that their employees and/or working inmates are familiar with and know how to complete the Notice of Injury or Occupational Disease (C-1) Report.
7. Supervisors are required to forward a copy of all C-1 and C-3 Reports to the Compliance Enforcement Supervisor.
8. Pursuant to OSHA 29 CFR 1910, employees and working inmates are required to work safely within the noted guidelines or be subject to strict disciplinary action.

853.02 COMPLIANCE ENFORCEMENT

1. The Compliance Enforcement Unit shall determine if an investigation is necessary based on a review of the related incident.
2. The Compliance Enforcement Unit will monitor all work areas for compliance with regulatory matters by using, as a minimum, the following means:
 - A. Assess the probability of health issues based upon the submitted C-1 and C-3 reports.
 - B. Identify and assess training needs; perform inspections; and audit the institution's workplace health program.
 - C. Analyze and review existing records identifying patterns that may indicate causes and severity of health incidents. Identify changes necessary to correct these hazards and submit recommendations to the facility for corrective actions.
 - D. Support a healthy work environment by identifying and reporting unhealthy working conditions, practices, and procedures.
 - E. Alert management to the need for proper tools, equipment, and health enhancement mechanisms.
 - F. Verify that staff and inmates who are in the working category have attended required training and that they are familiar with applicable health rules and hazards.

G. Ensure that area supervisors make scheduled health checks and forward reports to the Compliance Enforcement Supervisor.

H. Ensure that all required health information posters are posted in a place accessible to all employees and working inmates.

I. Communicate health issues to management and area supervisors.

J. All proposed health training programs shall be forwarded to the Department's Compliance Enforcement Unit for review and approval prior to implementation.

853.03 FAILURE TO ADDRESS HEALTH ISSUES

Should a supervisor fail to address a reported health issue from an employee, the employee has the right to contact the Compliance Enforcement Unit directly.

853.04 NON-INSTITUTIONAL INMATE WORKERS

1. Industrial injuries or occupational illnesses involving inmates working for other State agencies or Prison Industries are covered by Workers' Compensation and claims are coordinated by Medical Administration.

2. Copies of C-1 and/or C-3 forms should be forwarded to the Compliance Enforcement Supervisor by Prison Industries or Medical Administration as appropriate.

3. All Prison Industries claims (C-3 forms) will be sent through the Deputy Director – Prison Industries.


APPLICABILITY

1. This Administrative Regulation requires an Operational Procedure for all institutions, facilities, and Divisions.

2. This Administrative Regulation requires an annual audit.

REFERENCES

State Administrative Manual section 0521(8), OSHA, 29CFR.1910
ACA 4th Edition: 4-4455



James Dzurenda, Director

5/25/17

Date