



**Office of the  
Nevada Labor Commissioner**

Nevada Department of Business and Industry  
“Growing Business in Nevada”

# COVID-19 Postings & Bulletins

Shannon M. Chambers - Labor Commissioner  
Lleta Brown – Deputy Labor Commissioner  
Office of the Labor Commissioner

# COVID-19 LEAVE GUIDANCE

STATE OF NEVADA



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SHANNON CHAMBERS  
LABOR COMMISSIONER

Department of Business & Industry  
OFFICE OF THE LABOR COMMISSIONER

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## MARCH 11, 2020 COVID-19 LEAVE GUIDANCE

On January 1, 2020, Senate Bill 312 became effective and stated as follows: "Every employer in private employment in the State of Nevada with 50 or more employees in the State of Nevada shall provide paid leave that accrues at a minimum of 0.01923 hours of paid leave for each hour of work performed. An employee is eligible to use leave on the 90<sup>th</sup> day of employment."

The COVID-19 virus has caused state, federal, and local agencies to issue guidance to employees in both the private and public sector on how to contain the spread of COVID-19. In some cases, state, federal, and local agencies have imposed mandatory government quarantines of individuals in certain areas who may have COVID-19 or have been exposed to it.

The Labor Commissioner is proactively issuing the following guidance to private employers and employees in the State of Nevada to address potential mandatory government quarantines because of COVID-19 and consistent with the intent of Senate Bill 312. **IT IS IMPORTANT TO NOTE THAT THE DEPARTMENT IS NOT AWARE OF ANY PLANS TO IMPOSE MANDATORY QUARANTINES AT THIS TIME.** It is recommended that employers with fewer than 50 employees also follow this guidance as needed. *\*Please also see below.*

1. If an employee is subject to a mandatory government quarantine by a state, federal, or local agency and is unable to report to work, the employer should not count the mandatory government quarantine time as leave that is counted against the employee or taken from their leave balance. Because employees may not be accruing any type of leave or pay while under a mandatory government quarantine situation, this type of separation and/or leave from employment should not be counted against them.
2. An employer is encouraged and can certainly choose to pay an employee for the time they are out on a mandatory government quarantine and offer alternative working arrangements, such as teleworking, or additional paid time off, but is not required to do so.
3. The employee could also choose to request to use paid leave or other applicable leave if available while out on a mandatory government quarantine, but that would be at the option of the employee. Family Medical Leave Act (FMLA) leave may also apply to the employee's situation, condition, and length of absence.

**MANDATORY GOVERNMENT QUARANTINES AS A RESULT OF POTENTIAL EXPOSURE TO COVID-19 SHOULD NOT RESULT IN ANY LOSS OF LEAVE TO AN EMPLOYEE WORKING IN PRIVATE EMPLOYMENT IN THE STATE OF NEVADA UNLESS THE EMPLOYEE ELECTS TO USE LEAVE, INCLUDING PAID LEAVE, OR OTHER LEAVE IS REQUIRED TO BE USED, SUCH AS FMLA LEAVE.**

*\*This guidance does not replace current collective bargaining agreements, agreements, contracts, and/or policies that have specific provisions relating to mandatory government quarantines and leave. However, these should be reviewed based on the guidance in this document and to address potential future situations.*

# Non-Essential Business Closure Announcement March 17, 2020

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**Local Governments will be in Charge of Enforcing the Closure of Businesses.**

## Non-Essential Businesses Closure Announcement March 17, 2020

### ESSENTIAL BUSINESSES

- Health Care Facilities/Operations
- Law enforcement agencies
- Supermarkets and Grocery Stores
- Pharmacies
- Convenience Stores and Discount Stores
- Hardware Stores
- Gas Stations and Truck Stops
- Garbage collection companies
- Utilities
- Child Care/Daycare Facilities -operating in accordance within requirements set forth by their licensing authorities and COVID-19 guidance
- Auto-mechanic shops
- Home Maintenance/Repair Services
- Construction and Repair/Services
- Banks
- Laundromats and Dry Cleaners
- Post Office/ FedEx/ UPS
- Fire Department
- Veterinary Hospitals and Pet Stores
- Big-Box stores
- Transportation
- Logistics and Supply Chain Operations, including Warehouses, Storage and Distribution Facilities
- Essential stays in hotels, commercial lodging, dormitories, shelters and homeless encampments
- Food processing facilities
- Agriculture, livestock and feed mills

### NON-ESSENTIAL BUSINESSES

- Casinos
- Theaters
- Gyms and Rec Centers
- Shopping malls
- Bars and clubs
- Some restaurants
- Hair Salons and Spas
- Bowling Alleys
- Skating Rinks
- Museums
- Entertainment and hospitality including:
  - Strip Clubs and Brothels,
  - Concert venues,
  - Arenas,
  - Auditoriums,
  - Stadiums,
  - Large conference rooms,
  - Meeting Halls, and Cafeterias.

# Essential vs. Non-Essential Businesses

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March 20, 2020

## **Non-Essential Businesses Closure Announcement**

Please see the attached link to the Emergency Regulation Package specifying what is Essential and Non-Essential.

<https://nvhealthresponse.nv.gov/wp-content/uploads/2020/03/3.20-Emergency-regulations.pdf>

**Local Governments will be in Charge of Enforcing the Closure of Businesses.**

# Employer & Employee Information on COVID-19



Office of the Labor Commissioner  
Nevada Department of Business and Industry

## EMPLOYER & EMPLOYEE INFORMATION ON COVID-19

### Can an employer cut my hours or terminate my employment?

- Yes. Nevada labor laws do not require employers to guarantee hours worked. In addition, because Nevada is an “at will” employment state, the employer or employee can terminate the employment relationship at any time with or without notice. It is recommended that employers explore other options before taking any of these actions.

### Can an employer decrease or change my rate of pay?

- Yes. However, Nevada law requires a 7-day written notice before a decrease in wages can take effect. (NRS 608.100)

### Can an employer pay less than minimum wage or not pay overtime?

- No. An employer must pay the current minimum wage of \$8.00 if health benefits are offered and \$9.00 if health benefits are not offered. Overtime is required to be paid for time worked over 8-hours in a 24-hour period if the employee makes less than \$12.00 (offered health benefits) and \$13.50 (not offered health benefits). Overtime pay is required for over 40 hours of work.

### How often must an employee be paid?

- Employees must be paid at least semi-monthly. (NRS 608.060)

### When must a discharged employee be paid?

- A discharged employee’s wages shall be due and payable immediately. If not paid within 3-days penalties may apply. (NRS 608.020 & 608.040)

### When must a quitting employee be paid?

- Final wages must be paid within 7-days after the employee resigns or by the next regularly scheduled payday, whichever is earlier. (NRS 608.030)

### How often must breaks be given?

- An employee must be given a paid, 10-minute break for each 4-hour period of work. In addition, employees are entitled to an unpaid, 30-minute meal period for each 8-hour period of work. (NRS 608.019 & NAC 608.145)

### Does a sick employee have to report to work?

- No. An employee is not required to be physically present at work to notify his or her employer that he or she is sick or has sustained a non-work-related injury and cannot work. (Assembly Bill (AB) 181-80<sup>th</sup> Legislative Session 2019)

### Does an employer have to provide paid leave?

- Yes. Effective January 1, 2020, yes, a private employer who employs 50 or more employees in the state of Nevada must provide 0.01923 hour of paid leave per hour of work performed. (Senate Bill (SB) 312-80<sup>th</sup> Legislative Session 2019)

### Can an employer require me to stay away from work if I have recently traveled?

- Possibly. The Centers for Disease Control and Prevention (CDC) have imposed travel advisories and identified highly impacted areas. Travel to these areas or potential exposure to COVID-19 could require the employee to stay away from the office for a designated period.

### If I am required to stay away from the office because of recent travel will I get paid?

- Possibly. Employers may implement policies providing paid leave consistent with SB 312 or offer more generous paid leave policies. Employees may be required to utilize paid leave or Family Medical Leave Act (FMLA) leave depending upon the duration of the employee’s absence and condition. Mandatory Quarantines may also require the employer to not count this leave against an employee and pay them for this leave or allow the employee to use paid leave.

### Do I have to travel for work?

- Possibly. Employers can restrict and/or cancel travel to highly impacted areas identified by the CDC or cancel travel to other areas.

### I have a vacation scheduled and my employer is now telling me I cannot take it?

- An employer can encourage employees not to travel to areas that have been identified by the CDC as highly impacted areas or where travel advisories have been imposed. Travel to other areas or vacations that have been previously approved should be allowed to continue. The employee and employer should monitor the website of the CDC for additional areas that could be identified as highly impacted and adjust travel accordingly.

### Can an employer deduct cleaning costs or other charges relating to COVID-19 from my paycheck?

- No. Written authorization including the specific amount being deducted, the purpose for the deduction, and the pay period/date in which the deduction will be made is required. (NRS 608.110 & NAC 608.160)

# REMINDER ABOUT NEVADA LABOR LAWS, REQUIRED POSTINGS & EXTENSIONS

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MARCH 24, 2020

## REMINDER ABOUT NEVADA LABOR LAWS AND REQUIRED POSTINGS & EXTENSIONS MAY BE GRANTED FOR EMPLOYER AND EMPLOYEE RESPONSES

### REMINDER ABOUT NEVADA LABOR LAWS

The Office of the Labor Commissioner is the principal wage and hour and labor regulatory agency for the State of Nevada. Our office is responsible for ensuring that minimum wage, prevailing wage, and overtime are paid to employees in Nevada, and that employee rest, break, and lunch periods are provided.

The recent events related to COVID-19 have generated multiple questions regarding Nevada labor laws and ongoing enforcement. **Please be advised that Nevada labor laws are still being enforced by the Nevada Labor Commissioner and will continue to be enforced. Employers MUST continue to follow Nevada labor laws.** Information about Nevada labor laws can be found on our website at [www.labor.nv.gov](http://www.labor.nv.gov) and questions can be submitted to [mail1@labor.nv.gov](mailto:mail1@labor.nv.gov).

### REQUIRED POSTINGS

The following postings are required to be posted by private employers in Nevada. The Nevada Labor Commissioner does conduct inspections to verify postings.

Required Postings can be obtained at [www.labor.nv.gov](http://www.labor.nv.gov)

- Annual Minimum Wage and Overtime Bulletin(s)
- Rules to be Observed by Employers
- Notice of Limitations Affecting the Application of Lie Detector Tests
- Domestic Violence Victim's Rights Bulletin
- Domestic Worker's Bill of Rights
- Paid Leave

### EXTENSIONS MAY BE GRANTED FOR EMPLOYER AND EMPLOYEE RESPONSES

Based on recent events and the Governor's decision to have non-essential businesses shut down, it is possible that an employer or employee may not be able to respond to wage claims/complaints within 15-days. Even a business that is deemed essential may not be able to respond within 15-days due to circumstances outside of their control. The Labor Commissioner may extend the time for response pursuant to Nevada Administrative Code (NAC) section 607.040 based on good cause and the public health emergency relating to COVID-19. This may be done on a case by case basis.

# Paid Leave : Federal Emergency Paid Sick Leave

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MARCH 19, 2020

## COVID-19 - NEW FEDERAL EMERGENCY PAID SICK LEAVE REQUIREMENTS

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### COVID-19 - NEW FEDERAL EMERGENCY PAID SICK LEAVE REQUIREMENTS

On March 18, 2020, President Trump signed H.R. 6201 – Families First Coronavirus Response Act into law. The law becomes effective 15-days after enactment and will sunset December 31, 2020. H.R. 6201 requires an employer with fewer than 500 employees to provide up to 80-hours of paid sick leave to employees. For full text see <https://www.congress.gov/bills/116th-congress/house-bill/6201>.

### FEDERAL LAW NOW REQUIRES EMPLOYERS WITH LESS THAN 500 EMPLOYEES TO PROVIDE UP TO 80-HOURS\* OF PAID SICK LEAVE FOR THE FOLLOWING:

- (1) The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.
- (2) The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
- (3) The employee is experiencing symptoms of COVID-19 and seeking medical diagnosis.
- (4) The employee is caring for an individual who is subject to an order described in subparagraph (1) or has been advised as described in subparagraph (2).
- (5) The employee is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, or the child-care provider of such son or daughter is unavailable.
- (6) The employee is experiencing any other substantially similar condition Specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

### THIS IS IN ADDITION TO ANY STATE PAID LEAVE REQUIREMENTS

**RATE OF PAY:** Employees are compensated at the higher their regular rate, the federal minimum wage, or the local minimum wage, but not to exceed \$511 per day and \$5,110 in the aggregate. However, if the employee is absent to care for a sick family member, a child unable to attend school, or because they meet the criteria for similar conditions, they are compensated at 2/3 the rate they would otherwise receive, but not to exceed \$200 per day and \$2,000 in the aggregate. Employers may seek tax credits for reimbursement.

**EXEMPTIONS:** The Secretary of Labor/Department of Labor has discretion to exempt: (1) health care providers and emergency responders from the definition of employers; and (2) small businesses with fewer than 50 employees from the requirement of subparagraph (5) above if it would jeopardize the viability of the business as an ongoing concern.

\*For part-time employees, a number of hours equal to the number of hours that such employee works, on average, over a 2-week period.

# Paid Leave : Federal Emergency Paid Leave

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MARCH 19, 2020

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## COVID-19 - NEW FEDERAL EMERGENCY PAID LEAVE REQUIREMENTS

### COVID-19 - NEW FEDERAL EMERGENCY PAID LEAVE REQUIREMENTS

On March 18, 2020, President Trump signed H.R. 6201 – Families First Coronavirus Response Act into law. The law becomes effective 15-days after enactment and will sunset December 31, 2020. H.R. 6201 authorizes up to 12-weeks of job-protected emergency paid leave. For full text see <https://www.congress.gov/bill/116th-congress/house-bill/6201>.

**FEDERAL LAW NOW REQUIRES EMPLOYERS WITH LESS THAN 500 EMPLOYEES TO PROVIDE PAID LEAVE TO EMPLOYEES WHO HAVE BEEN ON THE JOB FOR AT LEAST 30 DAYS.**

- ❖ **PURPOSE:** The employee is unable to work/telework because the employee's child's school or place of care is closed, or the child's usual care provider is unavailable due to a COVID-19 related public health emergency.
- ❖ **FAMILY MEMBERS:**
  - Minor child.
  - Parent; spouse; individual who is pregnant, senior citizen, individual with a disability or who has access or functional needs and is the employee's child (any age) next of kin, grandparent/child.
- ❖ **12 WEEKS OF JOB-PROTECTED EMERGENCY PAID LEAVE**
  - First 10 days may be unpaid.
  - For subsequent leave, employer must pay employee at 2/3 wage replacement up to \$200 per day and \$10,000 total.
- ❖ **JOB PROTECTION:**
  - Employee has a right to job restoration under the Family Medical Leave Act (FMLA).
  - Exception for employers with fewer than 25 employees under certain conditions.
- ❖ **EXEMPTIONS:**
  - Secretary of Labor/Department of Labor has discretion to exempt certain health care providers and emergency responders.
  - Secretary of Labor/Department of Labor has discretion to exempt businesses with fewer than 50 employees.
  - Employers of health care providers and emergency responders may elect to exclude such employees from this leave.
- ❖ **EMPLOYER TAX CREDITS:** If eligible and subject to the requirements of H.R. 6201, employers can seek a tax credit equal to 100% of the qualified paid FMLA wages paid by the employer. Qualified paid FMLA wages are capped at \$200 per day and \$10,000 overall. Additional tax credits may be available to employers.



# United States Department of Labor Guidance on Families First Coronavirus Response Act

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## United States Department of Labor Guidance on Families First Coronavirus Response Act

- How does an employer count its number of employees to determine coverage?
- How can small businesses obtain an exemption?
- How does an employer count hours for part-time employees?
- How does an employer calculate wages employees are entitled to under the FFCRA?

The initial WHD guidance is available in three-parts:

- [Fact Sheet for Employees](#)
- [Fact Sheet for Employers](#)
- [Questions and Answers](#)

# United States Department of Labor

## Additional Guidance on Families First

### Coronavirus Response Act

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March 26, 2020

#### **United States Department of Labor Additional Guidance on Families First Coronavirus Response Act**

Today, the U.S. Department of Labor's Wage and Hour Division (WHD) published additional implementation guidance pursuant to the Families First Coronavirus Response Act (FFCRA).

The new guidance includes two posters – one for [federal workers](#) and one for all [other employees](#) – that will fulfill notice requirements for employers obligated to inform employees about their rights under the new law. In addition, the WHD released a [questions and answers](#) document about posting requirements, as well as a [Field Assistance Bulletin](#) describing WHD's 30-day non-enforcement policy.

As a reminder, the WHD published its first round of FFCRA implementation guidance on March 24<sup>th</sup>:

- [Fact Sheet for Employees](#)
- [Fact Sheet for Employers](#)
- [Questions and Answers](#)

# News Release US DOL: Guidance Families First COVID-19 Response Act



## News Release

U.S. Department of Labor | March 24, 2020

### U.S. Department Of Labor Publishes Guidance Explaining Paid Sick Leave And Expanded Family and Medical Leave Under The Families First Coronavirus Response Act

WASHINGTON, DC – Today, the U.S. Department of Labor’s Wage and Hour Division (WHD) announced its first round of published guidance to provide information to employees and employers about how each will be able to take advantage of the protections and relief offered by the Families First Coronavirus Response Act (FFCRA) when it takes effect on April 1, 2020.

FFCRA will help the United States combat and defeat COVID-19 by giving all American businesses with fewer than 500 employees funds to provide employees with paid leave, either for the employee’s own health needs or to care for family members. The legislation will ensure that workers are not forced to choose between their paychecks and the public health measures needed to combat the virus while at the same time reimbursing businesses.

The guidance – provided in a [Fact Sheet for Employees](#), a [Fact Sheet for Employers](#) and a [Questions and Answers](#) document – addresses critical questions, such as how an employer must count the number of their employees to determine coverage; how small businesses can obtain an exemption; how to count hours for part-time employees; and how to calculate the wages employees are entitled to under this law.

“Providing information to the American workforce is a top priority for the Wage and Hour Division,” said Administrator Cheryl Stanton. “With so many workers and so many employers struggling to find their way in these trying conditions, providing guidance on a rolling basis will allow workers and businesses to prepare for the law to go into effect on April 1, 2020. We remain committed, and are working around the clock to provide the information and tools for employees and employers alike.”

The guidance announced today is just the first round of information and compliance assistance to come from WHD. A workplace poster required for most employers will be published later this week, along with additional fact sheets and more Q&A.

<https://www.dol.gov/agencies/whd/pandemic>.

For more information about the laws enforced by the WHD, call 866-4US-WAGE, or visit <https://www.dol.gov/agencies/whd>.

For further information about COVID-19, please visit the U.S. Department of Health and Human Services’ [Centers for Disease Control and Prevention](#).

U.S. Department of Labor news materials are accessible at <http://www.dol.gov>. The department’s [Reasonable Accommodation Resource Center](#) converts departmental information and documents into alternative formats, which include Braille and large print. For alternative format requests, please contact the department at (202) 693-7828 (voice) or (800) 877-8339 (federal relay).

WHD’s mission is to promote and achieve compliance with labor standards to protect and enhance the welfare of the nation’s workforce. WHD enforces federal minimum wage, overtime pay, recordkeeping and child labor requirements of the Fair Labor Standards Act. WHD also enforces the Migrant and Seasonal Agricultural Worker Protection Act, the Employee Polygraph Protection Act, the Family and Medical Leave Act, wage garnishment provisions of the Consumer Credit Protection Act and a number of employment standards and worker protections as provided in several immigration related statutes. Additionally, WHD administers and enforces the prevailing wage requirements of the Davis Bacon Act and the Service Contract Act and other statutes applicable to federal contracts for construction and for the provision of goods and services.

The mission of the U.S. Department of Labor is to foster, promote and develop the welfare of the wage earners, job seekers and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights.

###

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Release Number: 20-512-NAT

# United States Department of Labor Guidance on Families First Coronavirus Response Act 3.29.20

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**March 29, 2020**

## **United States Department of Labor Guidance on Families First Coronavirus Response Act**

The U.S. Department of Labor (DOL) has posted additional [Questions and Answers](#) regarding implementation of certain provisions of the Families First Coronavirus Response Act (FFCRA). For your reference, the updated information begins with [Question #38](#).

The updated guidance, in part, further clarifies the definitions of an "emergency responder" and "health care provider."

<https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>

# COVID-19 Employer Guidance: Technical Bulletin



## Technical Bulletin



Date: March 27, 2020  
Topic: COVID-19 Message to Employers  
Contact: Melissa Peek-Bullock, State Epidemiologist, Office of Public Health Investigations and Epidemiology  
To: All Nevada Businesses and Industries

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In accordance with guidance from the Centers for Disease Control and Prevention (CDC), and the Nevada Governor's COVID-19 Medical Advisory Team (MAT), employers should not require a positive COVID-19 test result or a healthcare provider's note for employees who are sick to validate their illness, qualify for sick leave, or to return to work. Healthcare provider offices and medical facilities are extremely busy and not able to provide such documentation in a timely manner.

To prevent the spread of COVID-19 in the workplace, employers should actively encourage sick employees to stay home.

- Employees who have [symptoms](#) (i.e., fever, cough, or shortness of breath) should notify their supervisor and [stay home](#).
- Sick employees should follow [CDC recommended steps](#).
- Individuals with symptoms who are confirmed (or tested positive for COVID-19), and suspected cases who were directed to care for themselves at home, can discontinue home-isolation under the following conditions.
  - a. At least 3 days (72 hours) have passed since recovery - defined as resolution of fever without the use of fever-reducing medications and resolution of respiratory symptoms (e.g., cough, shortness of breath); AND,
  - b. At least 7 days have passed since symptoms first appeared.
- Employees should not return to work until the criteria to [discontinue home isolation](#) are met.

Additional information - for household members, intimate partners, and caregivers of a self-isolated COVID-19 case to help prevent the infection from spreading to household member and the community are available at <https://www.cdc.gov/coronavirus/2019-ncov/hcp/guidance-prevent-spread.html>.

- Employees who are well but who have a sick family member at home with COVID-19 should notify their supervisor and follow.

[Click here for the full Interim Guidance for Businesses and Employers from the CDC.](#)

**For More Information:** Please contact DPBH M-F 8:00 AM to 5:00 PM at (775) 684-5911. The after-hours line can be contacted at (775) 400-0333.

Handwritten signature of Lisa Sherych in blue ink.

Lisa Sherych, Administrator  
Division of Public and Behavioral Health

Handwritten signature of Ihsan Azzam in blue ink.

Ihsan Azzam, Ph.D., M.D.  
Chief Medical Officer

# Cares Act Summary Unemployment Expansion

STATE OF NEVADA

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SHANNON CHAMBERS  
LABOR COMMISSIONER



Department of Business & Industry  
OFFICE OF THE LABOR COMMISSIONER

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## APRIL 1, 2020 - CARES ACT SUMMARY EXPANSION OF UNEMPLOYMENT BENEFITS

On March 27, 2020, President Trump signed S. 3548 – Coronavirus Aid, Relief, and Economic Security Act “CARES Act” into law. Link to bill text: <https://www.congress.gov/bill/116th-congress/senate-bill/3548/text>

On March 31, 2020, the State of Nevada Department of Employment, Training, and Rehabilitation (DETR) entered into an agreement with the federal government to implement the CARES act.

**ADDITIONAL PAYMENTS** – The CARES act allows a state to contract with the federal government for reimbursement of 100% of the following:

- An additional \$600 per week for payments states make to individuals eligible for unemployment benefits under applicable state law (beginning after the date of the agreement between the applicable state and the federal government and lasting through July 31, 2020);
- An additional 13-weeks of unemployment benefits ending on December 31, 2020, on top of the time available under state law (typically 26-weeks) for individuals who have exhausted their unemployment benefits under state law and are able, available, and actively seeking work; and
- Compensation equal to the first week of unemployment, to address those states that have a one week waiting period before an individual/worker could begin to receive unemployment assistance.

**EXPANDED COVERAGE** – The CARES Act creates a temporary federal Unemployment Assistance program for individuals/workers unable to work due to the COVID-19 public health emergency during the period of January 27, 2020 through December 31, 2020. Assistance is capped at 39-weeks and includes any weeks the covered individual/worker receives unemployment or extended benefits under any state or federal law. To be eligible for potential unemployment benefits, an individual/worker must meet the following.

(1) Ineligible for or have exhausted regular unemployment resources available under state or federal law. Independent contractors would now be eligible for potential unemployment assistance; and  
(2) Must certify that he or she is capable of and available to work but unable or unavailable to work or telework because the individual/worker meets one of the following conditions:

- Is diagnosed with COVID-19 or is experiencing symptoms or seeking a diagnosis of COVID-19.
- Has a member of his or her household who has been diagnosed with the illness.
- Is providing care to a family member with COVID-19.
- Has primary caregiving responsibility for a child who is unable to attend school due to COVID-19.
- Cannot reach his or her place of work because of a quarantine or the advice of a health care provider to self-quarantine.
- Has become the primary earner after the head of household has died from COVID-19.
- Has had to quit working as a direct result of COVID-19.
- Has a work location that is closed as a direct result of a COVID-19 public health emergency.

**REDUCED HOURS** - Some states and individuals/workers may be eligible for short-term compensation based on a reduction of hours. Employers that plan to reduce the hours of their employees should ensure that any such reductions are done in compliance with state and federal wage and hour laws (See [Key Questions for Employers Facing COVID-19 \(FAQ\)](#), Question Number 20). Please also visit [www.dol.gov](http://www.dol.gov) for information on reduced hours benefits.

# Paycheck Protection Program

STEVE SISOLAK  
Governor

TERRY REYNOLDS  
Director

SHANNON M. CHAMBERS  
Labor Commissioner

STATE OF NEVADA



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## Paycheck Protection Program

**An SBA loan that helps businesses keep their workforce employed during the Coronavirus (COVID-19) crisis.**

### **Loan Information**

The Paycheck Protection Program is a loan designed to provide a direct incentive for small businesses to keep their workers on the payroll.

SBA will forgive loans if all employees are kept on the payroll for eight weeks and the money is used for payroll, rent, mortgage interest, or utilities.

You can apply through any existing SBA 7(a) lender or through any federally insured depository institution, federally insured credit union, and Farm Credit System institution that is participating. Other regulated lenders will be available to make these loans once they are approved and enrolled in the program. You should consult with your local lender as to whether it is participating in the program.

Lenders may begin processing loan applications as soon as April 3, 2020. The Paycheck Protection Program will be available through June 30, 2020.

- **For affiliation rules applicable for the Paycheck Protection Program** [click here](#).
- The [Interim Final Rule for Applicable Affiliation Rules](#) for Applicable Affiliation Rules for the Paycheck Protection Program information is being posted in advance of publication in the Federal Register. The official version will appear in the Federal Register.
- [Frequently Asked Questions for Faith-Based Organizations Participating in the Paycheck Protection Program and Economic Injury Disaster Loan Program](#)
- **Who Can Apply**

This program is for any small business with less than 500 employees (including sole proprietorships, independent contractors and self-employed persons), private non-profit organization or 501(c)(19) veterans organizations affected by coronavirus/COVID-19.

Businesses in certain industries may have more than 500 employees if they meet the SBA's size standards for those industries.

Small businesses in the hospitality and food industry with more than one location could also be eligible if their individual locations employ less than 500 workers.

### **Loan Details and Forgiveness**

The loan will be fully forgiven if the funds are used for payroll costs, interest on mortgages, rent, and utilities (due to likely high subscription, at least 75% of the forgiven amount must have been used for payroll). Loan payments will also be deferred for six months. No collateral or personal guarantees are required. Neither the government nor lenders will charge small businesses any fees.

Forgiveness is based on the employer maintaining or quickly rehiring employees and maintaining salary levels. Forgiveness will be reduced if full-time headcount declines, or if salaries and wages decrease.

This loan has a maturity of 2 years and an interest rate of 1%.

If you wish to begin preparing your application, you can download a copy of the PPP borrower application form to see the information that will be requested from you when you apply with a lender.

### **Other Assistance**

In response to the Coronavirus (COVID-19) pandemic, small business owners in all U.S. states, Washington D.C., and territories are currently eligible to [apply for disaster assistance](#). [Enhanced Debt Relief](#) is also available in SBA's other business loan programs to help small businesses overcome the challenges created by this health crisis.

### **For information on additional Lending options, please click here**

SBA provides local assistance via 68 district offices and a nationwide network of resource partners. To find resources near you, please [click here](#).

### **Lender Forms and Guidance**

[The Interim Final Rule](#) announcing the Paycheck Protection Program information is being posted in advance of publication in the Federal Register. The official version will appear in the Federal Register. [Click here](#) to download.

- [Click here](#) to download the Paycheck Protection Program Lender Application Form. Lenders who need assistance accessing SBA's E-Tran system to process loan guarantee requests may call our Lender Customer Service Line at 1-833-572-0502.

- [Click here](#) to view the Lender Agreement and enroll as a participating SBA Lender to make Paycheck Protection Program financing available to your customers.

# Economic Injury Disaster Loan Emergency Advance

STEVE SISOLAK  
Governor

TERRY REYNOLDS  
Director

SHANNON M. CHAMBERS  
Labor Commissioner

STATE OF NEVADA



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## Economic Injury Disaster Loan Emergency Advance

### Overview

In response to the Coronavirus (COVID-19) pandemic, small business owners in all U.S. states, Washington D.C., and territories are eligible to apply for an Economic Injury Disaster Loan advance of up to \$10,000. This advance will provide economic relief to businesses that are currently experiencing a temporary loss of revenue. Funds will be made available following a successful application. This loan advance will not have to be repaid.

### Eligibility

The SBA's Economic Injury Disaster Loan provides vital economic support to small businesses to help overcome the temporary loss of revenue they are experiencing as a result of the COVID-19 pandemic.

This program is for any small business with less than 500 employees (including sole proprietorships, independent contractors and self-employed persons), private non-profit organization or 501(c)(19) veterans organizations affected by COVID-19.

Businesses in certain industries may have more than 500 employees if they meet the [SBA's size standards](#) for those industries.

The Economic Injury Disaster Loan advance funds will be made available within days of a successful application, and this loan advance will not have to be repaid.

[Frequently Asked Questions for Faith-Based Organizations Participating in the Paycheck Protection Program and the Economic Injury Disaster Loan Program](#)

To apply for a COVID-19 Economic Injury Disaster Loan and loan advance, [click here](#).



# Telework Guide

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TERRY REYNOLDS  
Director

SHANNON M. CHAMBERS  
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## TELEWORK GUIDE

Nevada labor laws do not prevent employers from encouraging employees to work from home or to reach an agreement with their employees to work from home. These types of work arrangements have become necessary due to the COVID-19 Public Health Emergency. However, it is important to recognize that Nevada Labor Laws still apply.

Employees **may not** be classified as Independent Contractors merely because they are performing work at a different location other than their regular place of work, or from their home.

For information regarding determining Independent Contractor status please refer to Nevada Revised Statutes (NRS) section 608.0155 and Nevada Administrative Code (NAC) section 608.155(4). Pursuant to NRS section 608.400, willful misclassification may result in a fine of \$5,000.00 for each employee who is misclassified.

- Employees must be paid for each hour worked. (NRS section 608.016) Employers may not elect to have employees work without pay and claim the work was performed on a voluntary basis.
- Employees must be paid for Overtime Hours worked unless there is a specific exemption that applies. (NRS section 608.018)
- Employers must maintain Daily Time Records reflecting how many hours each employee worked. (NRS section 608.115) There are **no** special provisions that provide an exemption to this requirement and it applies to all employees regardless of the pay structure.
- Employees should maintain a Telework Log documenting the hours worked during the Workweek.
- Employees must be permitted to take a 10-minute Paid Rest Period for every 4-hours of work or fraction thereof and a 30-minute unpaid Meal Period for every continuous 8-hours of work. (NRS section 608.019)
- Employers may not reduce the Rate of Pay unless the employee has been provided with a written 7-day notice prior to the new rate taking effect. (NRS 608.100)
- Employees may not be paid less than the applicable Minimum Wage unless there is a specific exemption that applies. (NRS section 608.250 & NAC section 608.100)
- Employers must establish and maintain a Regular Pay Day. (NRS section 608.080)
- Employees must be paid at least Semi-Monthly. (NRS section 608.070) However, the employer may choose to pay wages more frequently.

# Release(s) of Liability as a Condition of Employment

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GOVERNOR  
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## COVID-19 Release(s) of Liability as a Condition of Employment Information for Employers and Employees

### An Employer Cannot Ask an Employee to Waive Rights or Benefits Under Nevada's Industrial Insurance Act (Workers' Compensation)

Pursuant to statute, a contract requiring an employee to waive rights or benefits under Nevada's Industrial Insurance Act is void. (Nevada Revised Statutes (NRS) section 616B.609)

### Employers Need to Determine if the Potential Release of Liability Violates Public Policy

Employees in Nevada are presumed to be "at-will" which potentially gives an employer the right to discharge an employee for any reason so long as the reason does not violate public policy. However, an employer should work with their available human resources staff and legal counsel if possible and review the applicable laws and regulations and available legal authority to determine if a release of liability violates public policy.

### Employee Working Environments and Conditions

NRS Chapter 618 sets forth the Nevada Occupational Safety and Health Act. The purpose of the Nevada Occupational Safety and Health Act and the purpose of the chapter is "to provide safe and healthful working conditions for every employee." (NRS 618.015.) Employers should review these provisions when considering a release of liability.

### Contract Enforcement and a Release of Liability

Depending upon the language and provisions contained in a release of liability, it is possible that the principles of contract interpretation and contract law could come into play in terms of the enforcement and applicability of a release of liability. Again, it is recommended that an employer work with their available human resources staff and legal counsel if possible, to review the applicable laws and regulations and available legal authority to determine if a release of liability can be enforced as a contract based on its terms.

### Future Federal or State Statutory or Regulatory Changes Regarding Employer Liability and COVID-19

The Office of the Labor Commissioner will continue to monitor any changes at the federal and state level regarding employer liability and release(s) of liability as they relate to the COVID-19 public health emergency. If new laws and regulations are enacted that address the issue of employer liability as it relates to COVID-19, they will be posted on the Office of the Labor Commissioner website at [www.labor.nv.gov](http://www.labor.nv.gov) along with existing labor laws and regulations.



# Roadmap to Recovery for Nevada

## **Guidelines and Protocols for Individuals and Businesses**

**The Statewide Standards and Business Guidelines set forth in this document were developed with the Local Empowerment Advisory Panel (LEAP) to advise individuals, employers, and businesses through Phase 1.**

# Nevada Roadmap to Recovery: Important Links

## **Nevada Health Response**

- <https://nvhealthresponse.nv.gov/nevada-united/>

## **Full Document Phase One Initial – Guidance**

- <https://nvhealthresponse.nv.gov/wp-content/uploads/2020/05/Roadmap-to-Recovery-Phase-One-Initial-Guidance.pdf>

## **CDC Reopening Guidance: Cleaning and Disinfecting Public Spaces Including Your Workplace, School, Home, and Business**

- <https://www.cdc.gov/coronavirus/2019-ncov/community/reopen-guidance.html>

## **Industry-Specific Guidance Released for Phase 1 Reopening in Nevada**

- <https://nvhealthresponse.nv.gov/wp-content/uploads/2020/05/Industry-specific-Guidance-Documents-1.pdf>

## **Office of the Labor Commissioner**

- [http://labor.nv.gov/Employer/Bulletins\\_Guides/](http://labor.nv.gov/Employer/Bulletins_Guides/)

# Letter to Private Employment Agencies

STEVE SISOLAK  
Governor  
TERRY REYNOLDS  
Director  
SHANNON M. CHAMBERS  
Labor Commissioner

STATE OF NEVADA



Department of Business & Industry

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PHONE (702) 686-2640

Dear Private Employment Agencies:

As the State of Nevada continues to address the public health situation relating to COVID-19, Governor Sisolak has developed a plan to allow businesses and employers to start re-opening through a series of incremental steps. For those businesses and employers that have continued to operate as essential businesses, your actions in following the guidance and directives that have been issued in order to maintain operations and protect the health and safety of Nevada's citizens and employees is appreciated.

The Office of the Labor Commissioner is committed to helping Nevada's employers and employees in implementing the "Phased Re-opening" and accomplishing the incremental steps set out in Governor Sisolak's "Roadmap to Recovery." Please visit <https://nvhealthresponse.nv.gov/> for the "Roadmap to Recovery," directives, and guidance.

The Office of the Labor Commissioner has multiple resources available to assist Nevada employers and employees in understanding Nevada labor laws and to provide information on various labor issues. Our website at [www.labor.nv.gov](http://www.labor.nv.gov) includes:

- **REQUIRED POSTINGS FOR EMPLOYERS**
- **BULLETINS AND GUIDES FOR EMPLOYERS AND EMPLOYEES**
- **INFORMATION ON NEVADA LABOR LAWS**
- **FORMS FOR EMPLOYERS AND EMPLOYEES**

For Nevada Private Employment Agencies that have continued to operate as essential businesses, or for those that have not been operating, but plan to re-open, please visit the following link: [http://labor.nv.gov/About/Private\\_Employment\\_Agency\\_Licensing/](http://labor.nv.gov/About/Private_Employment_Agency_Licensing/) for information about Private Employment Agency licensing and the laws and regulations governing Private Employment Agencies.

Private Employment Agencies should also visit the following websites for guidance on health and safety in the workplace and maintaining a healthy and safe workplace to prevent the spread of COVID-19. [www.cdc.gov](http://www.cdc.gov); [www.dol.gov](http://www.dol.gov); and [www.dir.nv.gov](http://www.dir.nv.gov)

We look forward to assisting you as Nevada continues down the "Road to Recovery" and implements the "Roadmap to Recovery."

Sincerely,

Handwritten signature of Shannon M. Chambers in blue ink.

Shannon M. Chambers  
Labor Commissioner

# Letter to Nevada Employers

STEVE SISOLAK  
Governor  
  
TERRY REYNOLDS  
Director  
  
SHANNON M. CHAMBERS  
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STATE OF NEVADA



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Dear Nevada Employers,

As the State of Nevada continues to address the public health situation relating to COVID-19, Governor Sisolak has developed a plan to allow businesses and employers to start re-opening through a series of incremental steps through the "Roadmap to Recovery." For those businesses and employers that have continued to operate as essential businesses, your actions in following the guidance and directives that have been issued in order to maintain operations and protect the health and safety of Nevada's citizens and employees is appreciated. Please visit <https://nvhealthresponse.nv.gov/> for the "Roadmap to Recovery," directives, and guidance.

The Office of the Labor Commissioner is committed to helping Nevada's employers and employees in implementing the "Phased Re-opening" and accomplishing the incremental steps set out in Governor Sisolak's "Roadmap to Recovery."

The Office of the Labor Commissioner has multiple resources available to assist Nevada employers and employees in understanding Nevada labor laws and to provide information on various labor issues. Our website at [www.labor.nv.gov](http://www.labor.nv.gov) includes:

- **REQUIRED POSTINGS FOR EMPLOYERS**
- **BULLETINS AND GUIDES FOR EMPLOYERS AND EMPLOYEES**
- **INFORMATION ON NEVADA LABOR LAWS**
- **FORMS FOR EMPLOYERS AND EMPLOYEES**

The Office of the Labor Commissioner encourages all Nevada employers and employees to reach out to our office and visit our website at [www.labor.nv.gov](http://www.labor.nv.gov). The Office of the Labor Commissioner wants to ensure that Nevada businesses and employers continue to operate or re-open in accordance with Governor Sisolak's "Roadmap to Recovery" and in compliance with the law. Our office would be happy to assist any Nevada employer in reviewing their practices including, but not limited to, payroll, employee records, classification of employees, and potential changes in employment status.

Please contact [mail@labor.nv.gov](mailto:mail@labor.nv.gov) with questions or to arrange a meeting by phone, video conference, or a meeting that complies with the public health directives of social distancing. We look forward to assisting you as Nevada continues down the "Road to Recovery" and implements the "Roadmap to Recovery."

Sincerely,

A blue ink signature of Shannon M. Chambers, the Labor Commissioner.

Shannon M. Chambers  
Labor Commissioner

# OSHA Guidance Essential Business and Phase I

STEVE SISOLAK  
Governor

STATE OF NEVADA

VICTORIA CARREÓN  
Interim Administrator

TERRY REYNOLDS  
Director



JESS LANKFORD  
Interim Deputy Administrator

DEPARTMENT OF BUSINESS AND INDUSTRY  
DIVISION OF INDUSTRIAL RELATIONS  
OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION

May 8, 2020

To Whom It May Concern,

## Scope: Updated Guidance for Essential Businesses & Phase 1 Businesses

This guidance applies to all essential businesses and non-essential businesses opening or continuing operations in Phase 1 of the Governor's Roadmap to Recovery for Nevada. This guidance supersedes previous guidance released on April 23, 2020 for essential businesses.

On May 8<sup>th</sup>, 2020 the Governor of Nevada announced the release of Declaration of Emergency Directive #018, which initiates the re-opening of non-essential business within Nevada by a "phased-in" process. The declaration, summarized in the guidance document titled "Roadmap to Recovery for Nevada," requires that during Phase 1:

*All essential and non-essential businesses opening or continuing operations in Phase One must adopt measures promulgated by the Nevada State Occupational Safety and Health Administration (NV OSHA) to minimize the risk of spread of COVID-19, including social distancing and sanitation measures, and abide by all other guidance promulgated pursuant to the Phase One directive.*

In addition, Section 10 of Declaration of Emergency Directive #018 states:

*Section 10: All businesses must adopt measures that meet or exceed the standards promulgated by NV OSHA to minimize the risk of spread of COVID-19. All businesses are encouraged to permit their employees to work from home to the maximum extent practicable. The Nevada State Occupational Safety and Health Administration shall continue to ensure that businesses reopened pursuant to this Directive or otherwise operating during the state of emergency provide adequate protections to their workers and adopt sanitation protocols that minimize the risk of spread of COVID-19 among their workforce. NV OSHA shall enforce all violations of its guidance, protocols, and regulations.*

To accomplish these responsibilities NV OSHA is providing this guidance, and the recommendations/requirements found within, for essential businesses and non-essential businesses that are open or will be opening during Phase 1. The measures contained in the document are recommended/required of each business and should be applied to all employees of that business. As we battle the coronavirus pandemic, this guidance may continue to evolve.

The NV OSHA recommendations/requirements for all essential businesses and non-essential businesses opened during Phase 1 include, but are not limited to, the following:

RENO  
4600 Kietzke Lane,  
Building F-153  
Reno, NV 89502  
(775) 688-3700

LAS VEGAS  
3360 West Sahara Avenue  
Suite 200  
Las Vegas, NV 89102  
(702) 486-9020

## General Operations:

- ▶ All employers must provide face coverings for employees assigned to serving the public and shall require these employees to wear the face coverings. (Required/Ref. Declaration of Emergency Directive #018, Section 9)
- ▶ Prohibit gatherings of 10 or more people. (Required/Ref. Declaration of Emergency Directive #007, Section 1)
- ▶ Promote frequent and thorough hand washing, including providing workers, customers, and worksite visitors with a place to wash their hands. If soap and running water are not immediately available, provide alcohol-based hand rubs containing at least 60% alcohol. (Required/Ref. Declaration of Emergency Directive #003)
- ▶ Maintain regular housekeeping practices, including routine cleaning and disinfecting of surfaces and equipment with Environmental Protection Agency-approved cleaning chemicals from List N or that have label claims against the coronavirus. See: <https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2> (Required/Ref. Declaration of Emergency Directive #003)
- ▶ Provide sanitation and cleaning supplies for addressing common surfaces in multiple user mobile equipment and multiple user tooling. Recommended based on the specifics of a business's services and procedures. (Ref. - Guidance on Preparing Workplaces for COVID-19, OSHA 3990-03 2020)
- ▶ Conduct daily surveys of changes to staff/labor health conditions. NV OSHA is emphasizing the need for business leadership to be working with and aware of the health and well-being of its staff. (Required/Ref. - Guidance on Preparing Workplaces for COVID-19, OSHA 3990-03 2020)
- ▶ Ensure that any identified first responders in the labor force are provided and use the needed Personal Protective Equipment (PPE) and equipment for protection from communicable or infectious disease. (Required/29 CFR 1910.1030)
- ▶ Provide access to potable and sanitary water (Required/29 CFR 1926.15 or 29 CFR 1910.141)

Further, any guidance that is produced by the State of Nevada to support the Roadmap to Recovery for Nevada will be enforced by NV OSHA. Specifically, any guidance that pertains to a particular industry sector may/will have a column of "mandatory" measures that apply to that industry sector. Any mandatory measures found in the states promulgated guidance will be deemed enforceable if not specifically addressed in previously published guidance, regulations, or memorandums. Following these guidelines does not constitute, and is not a substitute for, compliance with all laws and regulations applicable at any particular time. Individuals and businesses are responsible to ensure that they comply with all laws and regulations that apply to them, including, but not limited to, federal and state health and safety requirements. Additionally, compliance with these regulations does not ensure against the spread of infections from COVID-19 or any other cause.

# OSHA Guidance Essential Business and Phase I (Cont.)

## Social Distancing:

Declarations of Emergency Directives #003 and #018 allow for essential industries/businesses to continue operations and allows some non-essential business to reopen. The following measures are required to be implemented by the employer when employees are conducting specific job functions where 6 feet of social distancing is infeasible/impractical.

- ▶ A Job Hazard Analysis (JHA) may be completed for each task, procedure, or instance that is identified where social distancing is infeasible/impractical. Any JHA drafted for this purpose must be equivalent in detail and scope as identified in Federal OSHA publication 3071. <https://www.osha.gov/Publications/osha3071.pdf>
- ▶ A JHA developed for this purpose must identify the task being addressed, hazard being addressed (spread of COVID-19), and controls to be used to address the hazard.
- ▶ Any policy, practice, or protocol developed pursuant to the JHA must be as effective or more effective as the 6 feet social distancing mandate in Declaration of Emergency Directive #003.
- ▶ Engineering controls, administrative controls, and PPE identified and developed through the JHA to address the hazard must be supplied by the employer.
- ▶ Training must be provided to staff for any policy, practice, or protocol that is used to address the hazard via a JHA.
- ▶ Training must be provided to staff for any equipment, engineered process, administrative control, or PPE that was identified and developed through the JHA to address the social distancing requirements or alternative policies, practices, or protocols implemented when social distancing is infeasible/impractical.

## Social Distancing during breaks, lunches/dinners, and other slack periods:

NV OSHA is aware that social distancing requirements are not always followed by employees despite the efforts of the employer. The following measures are recommended for all essential businesses.

- ▶ Employers are recommended to monitor employees during break, lunch/dinner, and slack periods to ensure that they are maintaining proper social distancing protocols.
- ▶ If an employer representative identifies an instance where proper social distancing protocols are not being followed, the employee will be subject to the employer's existing methods established for ensuring compliance with safety rules and work practices per NAC 618.540(1)(e).
- ▶ These observations apply to parking lots, staging areas, and any other location identified by the employer to be a supportive part of the overall business.

NV OSHA emphasizes that slowing/addressing the spread of COVID-19 is a required aspect of all activities/task/services associated with open businesses and will continue to enforce or promote the use of identified measures to address this public health crisis.

NV OSHA seeks to ensure that all essential businesses and non-essential businesses implement the aforementioned mandates and also seeks to distribute this information so that all included sectors of business are fully aware of these requirements. If your business, group, or association is receiving this memo, then please recognize this memo as notice to your business, group, or association that the previously mentioned mandates and guidance may be adopted and put into effect.

For any further guidance, use the following links:

Federal OSHA - <https://www.osha.gov/SLTC/covid-19/>

Federal OSHA Guidance for Retail Workers (OSHA 3996) <https://www.osha.gov/Publications/OSHA3996.pdf>

Center for Disease Control and Prevention - <https://www.cdc.gov/coronavirus/2019-nCoV/index.html>

State of Nevada- <https://nvhealthresponse.nv.gov/>

State of Nevada Roadmap to Recovery for Nevada - <https://nvhealthresponse.nv.gov/wp-content/uploads/2020/05/Roadmap-to-Recovery-Phase-One-Initial-Guidance.pdf>

Mine Safety and Health Administration: <https://www.msha.gov/msha-response-covid-19>

NV OSHA Information: <http://dir.nv.gov/OSHA/Home/>

**THIS GUIDANCE IS SUBJECT TO REVISION AS ADDITIONAL INFORMATION IS GATHERED. PLEASE CHECK HERE FREQUENTLY FOR UPDATES.**

Sincerely,  
Jess Lankford  
Chief Administrative Officer  
Phone # 702.486.9020



# Declaration of Emergency Directive 018. Phase 1 Reopening



## DECLARATION OF EMERGENCY

### DIRECTIVE 018

#### PHASE ONE REOPENING PLAN

**WHEREAS**, in late 2019, the United States Centers for Disease Control and Prevention began monitoring an outbreak of respiratory illness caused by a novel coronavirus first identified in Wuhan, Hubei Province, China; and

**WHEREAS**, on February 11, 2020, the International Committee on Taxonomy of Viruses named this novel coronavirus "severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);" and

**WHEREAS**, on February 11, 2020, the World Health Organization named the disease caused by SARS-CoV-2, "COVID-19;" and

**WHEREAS**, the World Health Organization advises that the novel coronavirus that causes COVID-19 virus is highly contagious, and spreads through respiratory transmission, and direct and indirect contact with infected persons and surfaces; and

**WHEREAS**, the World Health Organization advises that respiratory transmission occurs through both droplet and airborne transmission, where droplet transmission occurs when a person is within 6 feet of someone who has respiratory symptoms like coughing or sneezing, and airborne transmission may occur when aerosolized particles remain suspended in the air and is inhaled; and

**WHEREAS**, the World Health Organization advises that contact transmission occurs by direct contact with infected people or indirect contact with surfaces contaminated by the novel coronavirus; and

**WHEREAS**, some persons with COVID-19 may exhibit no symptoms but remain highly infectious; and

**WHEREAS**, on March 5, 2020, Clark County and Washoe County both reported the first known cases of COVID-19 in the State of Nevada; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic; and

**WHEREAS**, on March 12, 2020, I, Steve Sisolak, Governor of the State of Nevada issued a Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic; and

**WHEREAS**, on March 13, 2020, Donald J. Trump, President of the United States declared a nationwide emergency pursuant to Sec. 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"); and

**WHEREAS**, on March 14, 2020, I formed a medical advisory team to provide medical guidance and scientifically based recommendations on measures Nevada could implement to better contain and mitigate the spread of COVID-19; and

**WHEREAS**, on March 15, 2020, the State of Nevada experienced its first COVID-19 related fatality; and

**WHEREAS**, in the 53 days since Nevada's first COVID-19 death, as of May 7, 2020, the number of deaths in the State of Nevada has climbed to 286; and

**WHEREAS**, as of May 7, 2020, Johns Hopkins University's Coronavirus Resource Center has attributed 75,423 deaths in the United States of America to COVID-19; and

**WHEREAS**, infectious disease and public health experts advised that minimizing interpersonal contact slows the rate at which the disease spreads, and is necessary to avoid overwhelming healthcare systems, commonly referred to as "flattening the curve"; and

**WHEREAS**, since the March 12, 2020 Declaration of Emergency, I have issued 17 Directives pursuant to that order to provide for the safety, wellbeing, and public health of Nevadans and the administration of the State of Nevada; and

**WHEREAS**, these Directives were promulgated to reduce interpersonal contact and promote social distancing to flatten the curve; and

**WHEREAS**, data showed that Nevada was one of the top five states in the United States for social distancing; and

**WHEREAS**, Nevada's medical experts indicate that the rate at which COVID-19 is spreading in the State of Nevada has effectively slowed to a level that does not jeopardize the state's healthcare system due, in part, to Nevadans following strict social distancing measures individually and pursuant to Directives I issued pursuant to the March 12, 2020, Declaration of Emergency; and

**WHEREAS**, although the danger to Nevadans from the COVID-19 disease has abated, the disease has not been eliminated and measures that protect safety, wellbeing, and public health of Nevadans must remain in effect; and

**WHEREAS**, on April 21, 2020, the National Governors Association issued guidance for a staged reopening that protects the public's health while laying a strong foundation for long-term economic recovery; and

**WHEREAS**, on April 30, 2020, I introduced the *Nevada United: Roadmap to Recovery* plan that outlined a phased approach to reopening Nevada businesses and industry; and

# Declaration of Emergency Directive

## 018. Phase 1 Reopening (Cont.)

**WHEREAS**, the *Nevada United: Roadmap to Recovery* plan set forth a collaborative partnership between state and local governments that included the formation of the Local Empowerment Advisory Panel (“LEAP”) to serve as a resource to local governments and local communities; and

**WHEREAS**, NRS 414.060 outlines powers and duties delegated to the Governor during the existence of a state of emergency, including without limitation, directing and controlling the conduct of the general public and the movement and cessation of movement of pedestrians and vehicular traffic during, before and after exercises or an emergency or disaster, public meetings or gatherings; and

**WHEREAS**, NRS 414.070 outlines additional powers delegated to the Governor during the existence of a state of emergency, including without limitation, enforcing all laws and regulations relating to emergency management and assuming direct operational control of any or all forces, including, without limitation, volunteers and auxiliary staff for emergency management in the State; providing for and compelling the evacuation of all or part of the population from any stricken or threatened area or areas within the State and to take such steps as are necessary for the receipt and care of those persons; and performing and exercising such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population; and

**WHEREAS**, the Nevada Attorney General opined in Opinion Number 95-03 that in times of emergency when the Governor’s authority under Nevada Revised Statutes Chapter 414 is in effect, the powers of political subdivisions to control business activity is limited; and

**WHEREAS**, NRS 414.060(3)(f) provides that the administrative authority vested to the Governor in times of emergency may be delegated; and

**WHEREAS**, Article 5, Section 1 of the Nevada Constitution provides: “The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada;” and

**NOW THEREFORE**, by the authority vested in me as Governor by the Constitution and the laws of the State of Nevada and the United States, and pursuant to the March 12, 2020, Emergency Declaration,

IT IS HEREBY ORDERED THAT:

SECTION 1: To the extent this Directive conflicts with earlier Directives or regulations promulgated pursuant to the March 12, 2020 Declaration of Emergency, the provisions of this Directive shall prevail.

SECTION 2: For the purposes of this Directive, “vulnerable persons” are defined as those who are at heightened risk of complications from COVID-19 disease, and include:

- (1) Individuals who are 65 years of age and older;
- (2) Individuals with chronic lung disease or moderate to severe asthma;
- (3) Individuals who have serious heart conditions;
- (4) Individuals who are immunocompromised;
- (5) Pregnant women; or
- (6) Individuals determined to be high risk by a licensed healthcare provider.

SECTION 3: All vulnerable persons are strongly encouraged to stay at home to the greatest extent possible, except when necessary to provide, support, perform, or operate necessary activities, minimum basic operations, critical government functions, necessary travel, or essential businesses.

SECTION 4: The phrase “social distancing” includes guidance promulgated by the United States Centers for Disease Control and Prevention, including without limitation, maintaining at least six feet of social distancing from other individuals. The phrase “sanitation requirements” or “sanitation measures” includes without limitation, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

SECTION 5: Section 2 of Directive 010 is hereby amended to provide that effective May 9, 2020, all Nevadans are strongly encouraged to stay in their residences to the greatest extent possible. Recognizing that COVID-19 is still present in Nevada and highly contagious, Nevadans are advised that they are safer at home and should avoid interpersonal contact with persons not residing in their households to the extent practicable. To reduce the spread of COVID-19 via respiratory transmission, the Nevada public should utilize face coverings in public spaces.

SECTION 6: Pursuant to NRS 441A.180, persons testing positive for COVID-19 shall stay at home and “self-quarantine” for a minimum of two weeks, except as necessary to care for themselves or seek medical care. Persons determined to be in contact with an individual who tested positive for COVID-19 must quarantine and stay at home for two weeks, or until a negative test result has been received.

SECTION 7: Section 1 of Directive 007 is hereby amended to provide that effective May 9, 2020, the Nevada general public shall not gather in groups of ten or more in any indoor or outdoor area, whether publicly owned or privately owned where the public has access by right or invitation, express or implied, whether by payment of money or not, including without limitation, parks, basketball courts, volleyball courts, baseball fields, football fields, rivers, lakes, beaches, streets, convention centers, libraries, parking lots, and private clubs. This provision shall not be construed to apply to the gathering of persons living within the same household, persons working at or patronizing businesses operating pursuant to this Directive, or providing essential services to the public.

SECTION 8: The Nevada Labor Commissioner shall provide guidance to employers on labor laws related to COVID-19, including without limitation, sick leave policies, required postings for employers, and bulletins, guides, and forms for employers and employees.

SECTION 9: All employers must take proactive measures to ensure compliance with the social distancing and sanitation guidelines. All employers shall require employees who interact with the public to wear face coverings, to the maximum extent possible, and shall abide by all other guidelines promulgated by the Nevada State Occupational Safety and Health Administration (NV OSHA).

# Declaration of Emergency Directive 018. Phase 1 Reopening (Cont.)

SECTION 10: All businesses must adopt measures that meet or exceed the standards promulgated by NV OSHA to minimize the risk of spread of COVID-19. All businesses are encouraged to permit their employees to work from home to the maximum extent practicable. The Nevada State Occupational Safety and Health Administration shall continue to ensure that businesses reopened pursuant to this Directive or otherwise operating during the state of emergency provide adequate protections to their workers and adopt sanitation protocols that minimize the risk of spread of COVID-19 among their workforce. NV OSHA shall enforce all violations of its guidance, protocols, and regulations.

SECTION 11: To the maximum extent practicable, employers and employees are strongly encouraged to incorporate the following protocols into their business operations:

- (1) Encourage customers to wear face coverings
- (2) Continue to encourage telework, whenever possible and feasible with business operations
- (3) Return to work in phases
- (4) Close common areas where personnel are likely to congregate and interact, or enforce strict social distancing protocols
- (5) Strongly consider special accommodations for personnel who are members of a vulnerable population
- (6) Consider encouraging employees to do a self-assessment each day in order to check if they have any COVID-19 type symptoms, for example, fever, cough or shortness of breath
- (7) Practice hand hygiene
- (8) Perform frequent enhanced environmental cleaning of commonly touched surfaces
- (9) Implement separate operating hours for vulnerable populations
- (10) Provide signage advising the public of appropriate social distancing within the facility, including six feet of social distancing from other individuals; and
- (11) Provide readily available hand sanitizer or other sanitizing products for employees and customers

SECTION 12: All employers are encouraged to accommodate vulnerable persons and workers caring for a child whose school or place of care is closed, or childcare provider is unavailable, for reasons related to COVID-19, by promoting telecommuting or other remote work options, flexible schedules, or other means. To the greatest extent possible, employers should extend similar accommodations to workers who live in the same household as a vulnerable person. Upon request, all employers covered by the Families First Coronavirus Response Act ("FFCRA") must provide leave to eligible employees as provided by the Act. Employers covered by the FFCRA must notify covered employees seeking accommodations of their eligibility. The provisions of this Section shall be in effect for the duration that the March 12, 2020 Declaration of Emergency shall be in effect, unless specifically terminated by a subsequent Directive.

SECTION 13: Effective May 9, 2020, all businesses that engage in retail sales may, in addition to providing retail sales on a curbside or home delivery basis, allow customer access, with a maximum occupancy of 50% based on listed fire code capacity. Businesses are strongly encouraged to promote home delivery, curbside delivery, walk-up, drive-through, or window service whenever possible. Businesses must adopt measures promulgated by NV OSHA to

minimize the risk of spread of COVID-19 including social distancing and sanitation measures, and abide by all other guidance promulgated pursuant to this and other Directives. To the maximum extent practicable, businesses must provide services in a manner disallowing the formation of queues whereby persons congregate in a manner that violates the social distancing guidelines above. All businesses are encouraged to permit their employees to work from home to the maximum extent practicable. Retail businesses operating in open-air malls or strip malls are expressly permitted to operate under the conditions set forth in this Directive. Retail businesses operating pursuant to this Directive at indoor malls may provide retail sales to any extent they can do so on a home delivery basis, or for curbside delivery outside the mall under the conditions set forth in this Directive.

SECTION 14: Effective May 9, 2020, drive in theaters may resume operations for movies and drive-in religious services under strict social distancing guidelines pursuant to this Directive. Movie theaters operating on a non-drive-in basis shall remain closed to the public until further notice.

SECTION 15: Section 3 of Directive 013 is hereby rescinded. Effective May 9, 2020, automobile, off-highway vehicle, and recreational vehicle sales showrooms may reopen to customers on a limited basis. The number of customers in showroom areas may not exceed 50% of the area's listed fire code capacity. Dealerships are encouraged to operate on an appointment-only basis to reduce interpersonal contact to the greatest extent possible. Test drives should be limited to the customer and the customer's household members, and vehicles must be sanitized after each test drive.

SECTION 16: Section 7 of Directive 013 is hereby rescinded. Effective May 9, 2020, nail care salons, hair salons, and barber shops licensed by the Nevada Board of Cosmetology or State Barber's Health and Sanitation Board may reopen to customers provided that:

- (1) Salons and barber shops with walls or partitions between stations or chairs may utilize all stations, but under no circumstances may more than one customer or client be seated at any given station or chair.
- (2) Salons and barber shops without walls or partitions between stations may only seat customers or clients at every other station or chair, or arrange stations or chairs so that a minimum of 6 feet of separation between customers is maintained.
- (3) Salons and barber shops may not accept customers or clients on a walk-in basis, and technicians, stylists and barbers may not serve or accept appointments for more than one customer at any given time.
- (4) Customers waiting for appointments must wait outside the facility and must practice social distancing by maintaining a minimum of 6 feet of separation between customers not residing in the same household.
- (5) Technicians, stylists, barbers and other employees must wear face coverings at all times.
- (6) Persons licensed by the Nevada Board of Cosmetology or State Barber's Health and Sanitation Board must abide by all guidelines promulgated by their respective boards. Boards are directed to impose disciplinary measures against licensees who violate this provision.

# Declaration of Emergency Directive 018. Phase 1 Reopening (Cont.)

Persons licensed by the Nevada Board of Cosmetology or State Barber's Health and Sanitation Board may perform in-home beauty services to persons other than those in their household if their licenses permit them to do so, but must abide by all sanitation practices required by their respective licensing board, and must wear face coverings while servicing customers and clients.

SECTION 17: The prohibition on onsite dining at restaurants and food establishments in Section 3 of Directive 003 is hereby amended. All restaurants and food establishments operating during the state of emergency due to the COVID-19 pandemic are strongly encouraged to accommodate vulnerable persons by providing to-go, curbside, and delivery options for customers. Restaurants and food establishments, including bars and taverns licensed to serve food, may provide onsite dining subject to the following provisions:

- (1) The maximum occupancy for onsite dining shall be 50% of the maximum seating capacity under normal circumstances, excluding bar seating.
- (2) Tables or available booths must be spaced, or customers seated a minimum of 6 feet apart from other customers.
- (3) Bar tops and bar areas shall remain closed to customers, but bar beverages may be served at tables for onsite consumption.
- (4) Customers waiting to dine onsite must wait outside the establishment until they can be seated and must practice social distancing by maintaining a minimum of 6 feet of separation between customers not residing in the same household.
- (5) To the maximum extent practicable, restaurants and food establishments should require reservations to manage occupancy.

Restaurants and food establishments unable to comply with Items 1-4, above, may not open for onsite dining, but may continue to offer to go, curbside and home delivery to customers. Buffets, cafeterias, and self-serve dining facilities shall remain closed until further notice. All other provisions of Section 3 of Directive 003 not in conflict with this Section shall remain in effect.

SECTION 18: Breweries, distilleries, and wineries not licensed to serve food may offer curbside delivery, and home delivery where permitted by local code or ordinance. Breweries, distilleries, and wineries may continue all operations necessary to produce product, consistent with worker safety guidelines promulgated by the Nevada State Occupational Safety and Health Administration.

SECTION 19: The following non-essential businesses shall remain closed during Phase One of the *Nevada United: Roadmap to Recovery* plan:

- (1) Nightclubs
- (2) Bars, pubs, and taverns not covered by Sections 17 or 18 of this Directive
- (3) Gyms and fitness facilities
- (4) Recreation and community centers including public pools
- (5) Museums and art galleries
- (6) Zoos and aquariums, but may remain open to staff members to maintain essential operations for the health and safety of animals

- (7) Entertainment venues, including sports venues, movie theaters with the exception of drive-in theaters covered in Section 14 of this Directive, museums, bowling alleys, arcades and other amusement venues, and miniature golf
- (8) Brothels
- (9) Adult entertainment facilities
- (10) Massage parlors, not to include massages for physical therapy or that are medically necessary as prescribed by a licensed healthcare provider
- (11) Spas, not to include nail salons, hair salons, and barber shops covered in Section 16 of this Directive
- (12) Body art facilities
- (13) Body piercing facilities
- (14) Tanning salons

SECTION 20: Nevada State parks are hereby directed to open to the public for day use, subject to usage that does not pose a public health risk through overcrowding, or other violations of social distancing standards. Park rangers and staff shall develop and implement park access control measures to proactively prevent overcrowding, including by limiting capacity at or closing parks as necessary to enforce public safety and public health protocols. The Nevada public is advised to maintain all COVID-19 risk mitigation social distancing protocols, and utilize face coverings whenever possible.

SECTION 21: Section 13 of Directive 016 is hereby amended. Gaming operations, not including licensed online gaming or mobile wagering operations, shall remain closed through Phase One. The Gaming Control Board shall promulgate guidance for a phased and incremental resumption of gaming operations.

SECTION 22: Section 3 of Directive 016 is hereby amended to provide that in addition to curbside or home delivery, licensed cannabis dispensaries may additionally engage in retail sales on an in-store basis, effective May 9, 2020, pursuant to guidance that shall be issued by the Department of Taxation in conjunction with the Cannabis Compliance Board, and subject to all local ordinances or municipal code. Retail cannabis dispensaries must continue to abide by measures promulgated by NV OSHA to minimize the risk of spread of COVID-19 including social distancing and sanitation measures. All retail cannabis dispensaries are encouraged to permit their employees to work from home to the maximum extent practicable.

SECTION 23: Previous Directives not specifically referenced herein remain in effect for the duration specified in those specific Directives or subsequent extensions, unless specifically terminated or extended renewed by subsequent Directive. Directive 016 and all Directives incorporated by reference within Directive 016 with specific expiration dates are extended until May 30, 2020.

SECTION 24: Pursuant to NRS 414.060(3)(f), I hereby delegate to each county of this state to include the consolidated municipality of Carson City, and local municipalities, the authority to adopt additional protective measures intended to combat the spread of COVID-19, including without limitation, stay at home and face covering orders, so long as those measures are at least as restrictive as those imposed by all Directives promulgated pursuant to the

# Declaration of Emergency Directive 018. Phase 1 Reopening (Cont.)

Declaration of Emergency for COVID-19 issued on March 12, 2020. Additional restrictive measures adopted by counties and municipalities may be implemented without additional approval by the State.

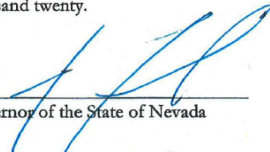
SECTION 25: Pursuant to NRS 414.060(3)(f), I hereby authorize all local, city, and county governments to enforce this Directive and regulations promulgated thereunder, including but is not limited to, suspending licenses, revoking licenses, or issuing penalties for violating business, professional, liquor, tobacco, or gaming licenses issued by the local jurisdiction for actions that jeopardize the health, safety, or welfare of the public; conduct which may injuriously affect the public health, safety, or welfare; conduct that may be detrimental to the public peace, health, or morals; or any other applicable ordinance or requirement for such a license.

SECTION 26: The State of Nevada shall retain all authority vested in the Governor pursuant to NRS Chapter 414.

SECTION 27: This Directive shall remain in effect through May 30, 2020, unless terminated or extended by a subsequent Directive promulgated pursuant to the March 12, 2020 Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 7<sup>th</sup> day of May, in the year two thousand twenty.

  
Governor of the State of Nevada

  
Secretary of State

  
Deputy Secretary of State

# **Governor Sisolak: Press Release**

## **Guidance for Phase 2 Reopening Plans**

### **5.26.2020**

- <https://nvhealthresponse.nv.gov/wp-content/uploads/2020/05/5.26-post-presser-release.pdf>



# Roadmap to Recovery for Nevada: Phase 2



# Roadmap to Recovery for Nevada Industry- & Activity-Specific Guidance

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16. **Trade Schools and Technical Schools**



# **Roadmap for Recovery: Phase 2**

## **Important Links**

### **Road to Recovery Phase 2 Guidance Complete Document**

- <https://nvhealthresponse.nv.gov/wp-content/uploads/2020/05/Roadmap-to-Recovery-Phase-2-Guidance.pdf>

### **Road to Recovery Phase 2 Industry Specific Guidance Complete Document**

- <https://nvhealthresponse.nv.gov/wp-content/uploads/2020/05/Roadmap-to-Recovery-Phase-2-Industry-Specific-Guidance.pdf>

# Declaration of Emergency Directive 021 – Phase Two Reopening



## DECLARATION OF EMERGENCY DIRECTIVE 021 PHASE TWO REOPENING PLAN

**WHEREAS**, in late 2019, the United States Centers for Disease Control and Prevention began monitoring an outbreak of respiratory illness caused by a novel coronavirus first identified in Wuhan, Hubei Province, China; and

**WHEREAS**, on February 11, 2020, the International Committee on Taxonomy of Viruses named this novel coronavirus "severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)"; and

**WHEREAS**, on February 11, 2020, the World Health Organization named the disease caused by SARS-CoV-2, "COVID-19"; and

**WHEREAS**, the World Health Organization advises that the novel coronavirus that causes COVID-19 virus is highly contagious, and spreads through respiratory transmission, and direct and indirect contact with infected persons and surfaces; and

**WHEREAS**, the World Health Organization advises that respiratory transmission occurs through both droplet and airborne transmission, where droplet transmission occurs when a person is within 6 feet of someone who has respiratory symptoms like coughing or sneezing, and airborne transmission may occur when aerosolized particles remain suspended in the air and is inhaled; and

**WHEREAS**, the World Health Organization advises that contact transmission occurs by direct contact with infected people or indirect contact with surfaces contaminated by the novel coronavirus; and

**WHEREAS**, some persons with COVID-19 may exhibit no symptoms but remain highly infectious; and

**WHEREAS**, on March 5, 2020, Clark County and Washoe County both reported the first known cases of COVID-19 in the State of Nevada; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic; and

**WHEREAS**, on March 12, 2020, I, Steve Sisolak, Governor of the State of Nevada issued a Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic; and

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**WHEREAS**, on March 13, 2020, Donald J. Trump, President of the United States declared a nationwide emergency pursuant to Sec. 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"); and

**WHEREAS**, on March 14, 2020, I formed a medical advisory team to provide medical guidance and scientifically based recommendations on measures Nevada could implement to better contain and mitigate the spread of COVID-19; and

**WHEREAS**, infectious disease and public health experts advised that minimizing interpersonal contact slows the rate at which the disease spreads, and is necessary to avoid overwhelming healthcare systems, commonly referred to as "flattening the curve"; and

**WHEREAS**, since the March 12, 2020 Declaration of Emergency, I have issued 20 Directives pursuant to that order to provide for the safety, wellbeing, and public health of Nevadans and the administration of the State of Nevada; and

**WHEREAS**, these Directives were promulgated to reduce interpersonal contact and promote social distancing to flatten the curve; and

**WHEREAS**, data showed that Nevada was one of the top five states in the United States for social distancing; and

**WHEREAS**, Nevada's medical experts indicate that the rate at which COVID-19 is spreading in the State of Nevada has effectively slowed to a level that does not jeopardize the state's healthcare system due, in part, to Nevadans following strict social distancing measures individually and pursuant to Directives I issued pursuant to the March 12, 2020, Declaration of Emergency; and

**WHEREAS**, although the danger to Nevadans from the COVID-19 disease has abated, the disease has not been eliminated and measures that protect safety, wellbeing, and public health of Nevadans must remain in effect; and

**WHEREAS**, on April 21, 2020, the National Governors Association issued guidance for a staged reopening that protects the public's health while laying a strong foundation for long-term economic recovery; and

**WHEREAS**, on April 30, 2020, I introduced the *Nevada United: Roadmap to Recovery* plan that outlined a phased approach to reopening Nevada businesses and industry; and

**WHEREAS**, the *Nevada United: Roadmap to Recovery* plan set forth a collaborative partnership between state and local governments that included the formation of the Local Empowerment Advisory Panel ("LEAP") to serve as a resource to local governments and local communities; and

**WHEREAS**, on May 9, 2020, the State of Nevada entered Phase One of the *Nevada United: Roadmap to Recovery* plan; and

**WHEREAS**, in the 19 days since Nevada entered Phase One, our state has experienced a consistent and sustainable downward trajectory in the percentage of positive COVID-19 cases, a decrease in the trend of COVID-19 hospitalizations, and a decline in our cumulative test positivity rate from a maximum rate of 12.2% on April 24, 2020 to 6.3% on May 27, 2020 with a 33-day downward trend; and

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# Declaration of Emergency Directive 021 – Phase Two Reopening (Cont.)

**WHEREAS**, the LEAP develops statewide guidelines for social distancing and phased reopening in consultation with local health authorities and other subject matter experts; and

**WHEREAS**, NRS 414.060 outlines powers and duties delegated to the Governor during the existence of a state of emergency, including without limitation, directing and controlling the conduct of the general public and the movement and cessation of movement of pedestrians and vehicular traffic during, before and after exercises or an emergency or disaster, public meetings or gatherings; and

**WHEREAS**, NRS 414.070 outlines additional powers delegated to the Governor during the existence of a state of emergency, including without limitation, enforcing all laws and regulations relating to emergency management and assuming direct operational control of any or all forces, including, without limitation, volunteers and auxiliary staff for emergency management in the State; providing for and compelling the evacuation of all or part of the population from any stricken or threatened area or areas within the State and to take such steps as are necessary for the receipt and care of those persons; and performing and exercising such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population; and

**WHEREAS**, the Nevada Attorney General opined in Opinion Number 95-03 that in times of emergency when the Governor's authority under Nevada Revised Statutes Chapter 414 is in effect, the powers of political subdivisions to control business activity is limited; and

**WHEREAS**, NRS 414.060(3)(f) provides that the administrative authority vested to the Governor in times of emergency may be delegated; and

**WHEREAS**, Article 5, Section 1 of the Nevada Constitution provides: "The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada;" and

**NOW THEREFORE**, by the authority vested in me as Governor by the Constitution and the laws of the State of Nevada and the United States, and pursuant to the March 12, 2020, Emergency Declaration,

IT IS HEREBY ORDERED THAT:

SECTION 1: To the extent this Directive conflicts with earlier Directives or regulations promulgated pursuant to the March 12, 2020 Declaration of Emergency, the provisions of this Directive shall prevail.

SECTION 2: Consistent with the *Nevada United: Roadmap to Recovery* plan for a federally supported, state managed, and locally executed reopening approach, county governments are hereby delegated the authority to impose additional COVID-19 related restrictions on businesses and public activities. Restrictions imposed by county government may exceed the standards imposed by Declaration of Emergency Directives or set forth under the LEAP guidelines, but in no case shall county guidelines be more permissive than the provisions of this Directive.

SECTION 3: Businesses may adopt practices that exceed the standards imposed by Declaration of Emergency Directives, guidelines promulgated by the Nevada State Occupational Safety and Health Administration (NV OSHA) or LEAP guidelines, but in no case shall business practices be more permissive than the provisions of this Directive or those imposed by NV OSHA and the LEAP.

SECTION 4: Businesses performing non-retail services, including without limitation, legal services, accounting services, or real estate services, are encouraged to conduct business telephonically or virtually to the greatest extent practicable. These businesses are encouraged to permit employees to work from home to the greatest extent practicable.

SECTION 5: For the purposes of this Directive, "vulnerable persons" are defined as those who are at heightened risk of complications from COVID-19 disease, and include:

- (1) Individuals who are 65 years of age and older;
- (2) Individuals with chronic lung disease or moderate to severe asthma;
- (3) Individuals who have serious heart conditions;
- (4) Individuals who are immunocompromised;
- (5) Pregnant women; or
- (6) Individuals determined to be high risk by a licensed healthcare provider.

SECTION 6: All vulnerable persons are strongly encouraged to stay at home to the greatest extent possible, except when necessary to provide, support, perform, or operate necessary activities, minimum basic operations, critical government functions, necessary travel, or essential businesses.

SECTION 7: The phrase "social distancing" references guidance promulgated by the United States Centers for Disease Control and Prevention, including without limitation, maintaining at least six feet of physical distancing from other individuals. The phrase "sanitation requirements," "sanitation measures," and "sanitation guidelines" includes without limitation, washing hands with soap and water for at least twenty seconds as frequently as possible, using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

SECTION 8: All Nevadans are strongly encouraged to stay in their residences to the greatest extent possible. Recognizing that COVID-19 is still present in Nevada and highly contagious, Nevadans are advised that they are safer at home and should avoid interpersonal contact with persons not residing in their households to the extent practicable. Nevadans are urged to avoid travel to the greatest extent practicable. To reduce the spread of COVID-19 via respiratory transmission, the Nevada public should utilize face coverings in public spaces.

SECTION 9: Pursuant to NRS 441A.180, persons testing positive for COVID-19 shall stay at home and "self-quarantine" for a minimum of two weeks, except as necessary to care for themselves or seek medical care. Persons determined to be in contact with an individual who tested positive for COVID-19 must quarantine and stay at home for two weeks, or until a negative test result has been received.

SECTION 10: Section 1 of Directive 007 is hereby further amended to provide that effective 12:01 am on May 29, 2020, the Nevada general public shall not gather in groups of more than fifty in any indoor or outdoor area subject to the limitations of this section, whether publicly owned or privately owned where the public has access by right or invitation, express or implied, whether by payment of money or not. Section 3 of Directive 007 shall remain in force.

SECTION 11: Communities of worship and faith-based organizations, including without limitation, churches, synagogues, mosques, and temples, are strongly encouraged to offer online and drive-up services to the greatest extent possible. Effective 12:01 am on May 29, 2020, consistent with other

# Declaration of Emergency Directive 021 – Phase Two Reopening (Cont.)

Directives on public gatherings, houses of worship may conduct indoor in-person services in a manner so that no more than fifty persons are gathered, and all social distancing requirements are satisfied. This limitation shall not apply to houses of worship offering drive-up services pursuant to Section 10 of Directive 016. Houses of worship offering indoor, in-person services are encouraged to follow the guidelines promulgated by the LEAP, as well as the following provisions that are consistent with other Directives on public gatherings:

- (1) Seating must be arranged to ensure a minimum of six feet of separation between congregants who do not reside in the same household.
- (2) Participants, including leaders and staff, are encouraged to utilize face coverings to the greatest extent practicable.
- (3) Houses of worship are encouraged to stagger services so that the entrance and egress of congregants for different services do not result in a gathering greater than fifty persons, and to provide proper sanitation between services.

SECTION 12: All employers must take proactive measures to ensure compliance with the social distancing and sanitation guidelines. All employers shall continue to require employees who interact with the public to wear face coverings, to the maximum extent possible, and shall abide by all other guidelines promulgated by NV OSHA.

SECTION 13: All businesses must adopt measures that meet or exceed the standards promulgated by NV OSHA to minimize the risk of spread of COVID-19. All businesses are encouraged to permit their employees to work from home to the maximum extent practicable. NV OSHA shall continue to ensure that businesses reopened pursuant to this Directive or otherwise operating during the state of emergency provide adequate protections to their workers and adopt sanitation protocols that minimize the risk of spread of COVID-19 among their workforce. NV OSHA shall enforce all violations of its guidance, protocols, and regulations.

SECTION 14: All employers are encouraged to consult guidelines issued by the LEAP for industry-specific information for operating in the phased reopening under the *Nevada United: Roadmap to Recovery* plan. The LEAP guidelines will be posted on the Nevada Health Response website at <https://nvhealthresponse.nv.gov/>.

SECTION 15: To the maximum extent practicable, employers and employees are strongly encouraged to incorporate the following protocols into their business operations:

- (1) Encourage customers to wear face coverings
- (2) Continue to encourage telework, whenever possible and feasible with business operations
- (3) Return to work in phases
- (4) Close common areas where personnel are likely to congregate and interact, or enforce strict social distancing protocols
- (5) Strongly consider special accommodations for personnel who are members of a vulnerable population
- (6) Encourage employees to do a self-assessment each day in order to check if they have any COVID-19 type symptoms, for example, fever, cough or shortness of breath
- (7) Practice hand hygiene
- (8) Perform frequent enhanced environmental cleaning of commonly touched surfaces
- (9) Implement separate operating hours for vulnerable populations
- (10) Provide signage advising the public of appropriate social distancing within the facility, including six feet of social distancing from other individuals; and

- (11) Provide readily available hand sanitizer or other sanitizing products for employees and customers

SECTION 16: All employers operating under Phase Two are encouraged to accommodate vulnerable persons and workers caring for a child whose school or place of care is closed, or childcare provider is unavailable, for reasons related to COVID-19, by promoting telecommuting or other remote work options, flexible schedules, or other means. To the greatest extent possible, employers should extend similar accommodations to workers who live in the same household as a vulnerable person. Upon request, all employers covered by the Families First Coronavirus Response Act ("FFCRA") must provide leave to eligible employees as provided by the Act. Employers covered by the FFCRA must notify covered employees seeking accommodations of their eligibility. The provisions of this Section shall be in effect for the duration that the March 12, 2020 Declaration of Emergency shall be in effect, unless specifically terminated by a subsequent Directive.

SECTION 17: All businesses that engage in retail sales may continue to provide retail sales on a curbside or home delivery basis, or allow onsite customer access, with a maximum occupancy of 50% based on listed fire code capacity. Businesses are strongly encouraged to promote home delivery, curbside delivery, walk-up, drive-through, or window service whenever possible. Businesses must adopt measures promulgated by NV OSHA to minimize the risk of spread of COVID-19 including social distancing and sanitation measures, and abide by all other guidance promulgated pursuant to this and other Directives. To the maximum extent practicable, businesses must provide services in a manner disallowing the formation of queues whereby persons congregate in a manner that violates the social distancing guidelines above. All businesses are encouraged to permit their employees to work from home to the maximum extent practicable. Retail businesses operating in open-air malls or strip malls are expressly permitted to operate under the conditions set forth in this Directive.

SECTION 18: Effective 12:01 am on May 29, 2020, indoor malls may open to the public, and allow retail businesses to operate. Businesses engaged in retail sales at indoor malls are subject to the same restrictions as retail businesses operating at other locations, as provided in Section 17 of this Directive. Mall operators shall discourage the public from congregating by removing or prohibiting access to indoor and outdoor seating, except at food courts. Food courts may reopen to customers, but must abide by all restrictions imposed on restaurants pursuant to Section 25 of this Directive, including without limitation, sanitation protocols, and social distancing seating requirements.

SECTION 19: The limitations imposed on drive-in movie theaters in Section 14 of Directive 018 are hereby amended to provide that concession stands may serve food and drinks on a prepackaged basis only.

SECTION 20: Effective 12:01 am on May 29, 2020, non-retail indoor venues, including without limitation, indoor movie theaters, bowling alleys, or arcades may reopen to the public. Indoor movie theaters operating pursuant to this section must ensure that occupancy shall not exceed the lesser of 50% of the listed fire code capacity or fifty persons, and implement measures to ensure that all social distancing requirements are satisfied. All other businesses operating pursuant to this section must ensure that occupancy shall not exceed 50% of the listed fire code capacity, and implement measures to ensure that all social distancing requirements are satisfied. Businesses operating pursuant to this Section shall limit food and beverage sales to prepackaged products only.

SECTION 21: Effective 12:01 am on May 29, 2020, non-retail outdoor venues, including without limitation, miniature golf facilities, amusement parks, theme parks may reopen to the public. Businesses

# Declaration of Emergency Directive 021 – Phase Two Reopening (Cont.)

operating pursuant to this section must ensure that occupancy shall not exceed 50% of the listed fire code capacity, and implement measures to ensure that all social distancing requirements are satisfied.

SECTION 22: Effective 12:01 am on May 29, 2020, musical performances, live entertainment, concerts, competitions, sporting events, and any events with live performances may resume, but shall remain closed for public attendance. Events held pursuant to this section may be recorded, filmed, streamed or broadcast to the public. Live events ordinarily regulated by the Nevada Athletic Commission or the Nevada Gaming Control Board must be approved by the applicable board prior to the event. All other live events under this Section must be approved by the Nevada Department of Business & Industry, Division of Industrial Relations prior to the event. Events held pursuant to this Section must additionally comply with all guidance promulgated by NV OSHA.

SECTION 23: Nail care salons and hair salons licensed by the Nevada Board of Cosmetology and barber shops licensed by the State Barber's Health and Sanitation shall continue to operate under the Phase One conditions set forth in Section 16 of Directive 018.

SECTION 24: Effective 12:01 am on May 29, 2020, estheticians and salons or businesses that provide aesthetic skin services, including without limitation, facials, hair removal, tanning, eyelash services, professional make-up artist services, eyebrow threading, and salt therapy, may reopen to the public pursuant to all protocols and guidelines promulgated by the Nevada State Board of Cosmetology and LEAP, as well as the following provisions:

- (1) Partitions or walls between each chair or workstation are strongly encouraged.
- (2) Establishments with walls or partitions between stations or chairs may utilize all stations, but under no circumstances may more than one customer or client be seated at any given station or chair.
- (3) Establishments without walls or partitions between stations must only seat customers or clients at every other station or chair, or arrange stations or chairs so that a minimum of 6 feet of separation between customers is maintained.
- (4) Establishments must not accept customers or clients on a walk-in basis, and estheticians and technicians must not serve or accept appointments for more than one customer at any given time.
- (5) Customers waiting for appointments must wait outside the facility and must practice social distancing by maintaining a minimum of 6 feet of separation between customers not residing in the same household.
- (6) Make-up application services must use disposable tools or sanitize tools between customers.
- (7) Estheticians, technicians, and other employees must wear face coverings while interacting with customers and clients. Customers and clients should wear face coverings to the extent practicable.
- (8) These businesses must follow the Enhanced Sanitation Guidelines for Salons in Response to COVID-19 issued by the Nevada State Board of Cosmetology. The Board is directed to take action, including the closure of salons and businesses, for all actions by licensees not in compliance with these Guidelines for Response to COVID-19.
- (9) With the exception of pool usage pursuant to Section 29 of this Directive, steam rooms, saunas, portable saunas, vapor baths, salt therapy rooms, hot tubs, and other communal facilities shall remain closed to the public.

SECTION 25: Restaurants and food establishments shall continue to operate under the Phase One conditions set forth in Section 17 of Directive 018, but may additionally utilize tables and serve food within the bar area. Establishments operating under this provision shall abide by the following provisions:

- (1) Establishments shall require employees to wear face coverings, and should encourage customers to wear face coverings to the maximum extent practicable.
- (2) Areas within establishments that promote congregation, including without limitation, dance floors, arcade areas, billiards, and similar activities shall remain closed to the public.
- (3) Customers may sit at and be served at bar tops only if bar top seating is limited such that barstools are spaced a minimum of six feet apart from other barstools of other customers not in the same party.
- (4) Buffets, cafeterias, and self-serve dining facilities shall remain closed until further notice.

SECTION 26: Section 18 of Directive 018 is hereby amended to provide that effective 12:01 am on May 29, 2020, breweries, distilleries, and wineries not licensed to serve food may open to the public subject to the following provisions:

- (1) Bartenders, waitresses, and other employees must wear face coverings.
- (2) The maximum occupancy of these establishments during Phase Two shall not exceed 50% of the listed fire code capacity.
- (3) Tables, booths, or seats must be spaced, or customers seated a minimum of 6 feet apart from other customers not in the same party. Customers sitting at a table or booth must only be served via table service and may not order from the bar top area.
- (4) Customers may sit at and be served at bar tops only if bar top seating is limited such that barstools are spaced a minimum of six feet apart from other barstools of other customers not in the same party.
- (5) Customers waiting to dine onsite must wait outside the establishment until they can be seated and must practice social distancing by maintaining a minimum of 6 feet of separation between customers not residing in the same household or in the same party.
- (6) Breweries, distilleries, and wineries must continue to operate in a manner consistent with worker safety guidelines promulgated by the NV OSHA.

SECTION 27: The following non-essential businesses shall remain closed during Phase Two of the *Nevada United: Roadmap to Recovery* plan:

- (1) Nightclubs
- (2) Day clubs
- (3) Brothels
- (4) Adult entertainment facilities

SECTION 28: Effective 12:01 am on May 29, 2020, gyms, fitness facilities, and fitness studios, including but not limited to dance and yoga studios, may reopen to the public. Gyms, fitness facilities, and fitness studios that provide services to ten or fewer people at a time may reopen only if they are able to provide services in a manner that does not violate social distancing protocols. Establishments providing services to more than ten patrons at a time shall limit customer access so as not to exceed a maximum occupancy of 50% based on listed fire code capacity. All gyms, fitness facilities, and fitness studios must, without exception, abide by all protocols promulgated by NV OSHA, including sanitation protocols. In addition to the protocols promulgated by NV OSHA and the LEAP, all gyms, fitness facilities, and fitness studios must abide by the following provisions:

# Declaration of Emergency Directive

## 021 – Phase Two Reopening (Cont.)

- (1) Employees, trainers, and instructors must wear face coverings to the maximum extent practicable, and facilities should encourage patrons to wear face coverings to the maximum extent practicable.
- (2) Regardless of listed fire code capacity, facilities must limit access to patrons to ensure that occupancy at any given time does not become sufficiently dense so as to violate social distancing protocols.
- (3) Equipment must be regulated to ensure a minimum of six feet of social distancing between users, and equipment should be moved, designated inoperable, or turned off to ensure that social distancing standards are maintained.
- (4) Group fitness classes must be limited to ensure at least six feet of separation between participants.
- (5) Contact sports, including without limitation, martial arts, basketball, wrestling, and boxing may only be offered in a manner where participants do not physically contact other participants, or activities that require participants to perform within six feet of each other.
- (6) Locker rooms, showers, steam rooms, saunas, portable saunas, vapor baths, salt therapy rooms, hot tubs, and other communal facilities, not to include restrooms, shall remain closed to the public.
- (7) Pools may open to patrons, but all pool usage is subject to the provisions of Section 29 of this Directive.
- (8) Child care facilities in gyms must remain closed.

SECTION 29: Effective 12:01 am on May 29, 2020, all public aquatic venues, may reopen to the public. For the purposes of this Directive, “public aquatic venues” shall include without limitation venues operated and managed by city and county governments; apartment complexes; home owners associations (HOAs); membership clubs including gyms or other privately owned aquatic centers accessible to the public through paid memberships or fees; schools; and hotels, motels, resorts, time-shares, and other guest lodging facilities. Facilities reopening pursuant to this section must abide by the following provisions:

- (1) Capacity at all public aquatic venues shall be limited to a maximum occupancy of 50% based on listed fire code capacity.
- (2) A minimum of six feet of social distancing between users is required in the pool, the pool deck, and any other areas at the facility. This limitation shall not apply to persons residing in the same household.
- (3) Hot tubs shall remain closed to the public.
- (4) Attendees should be encouraged to bring their own towels, equipment, and arrive and minimize the time spent in the facility by arriving and leaving wearing their swimsuit.
- (5) Public aquatic venues with locker rooms shall limit access to lockers and locker rooms, but should maintain public restrooms and shower facilities and limit the number of users at any one time.
- (6) Deck layouts and furniture in standing and seating areas must be arranged to maintain social distancing standards of at least six feet of separation between persons. This requirement shall not apply to persons residing in the same household.
- (7) In addition to the provisions above, aquatic schools offering swim lessons must require instructors to wear face coverings to the maximum extent practicable, and limit access to one parent or guardian per student.
- (8) Water parks shall control access to the public to ensure that the occupancy does not exceed 50% capacity based on applicable fire code or is sufficiently high that social distancing standards are violated. Water parks shall limit locker room access to restroom usage only.

All employees must wear face coverings to the maximum extent practicable. Concession sales at water parks must be limited to prepackaged foods only.

- (9) In addition to the provisions above, all public aquatic venues are encouraged to abide by all other guidelines promulgated by the LEAP.

SECTION 30: Effective 12:01 am on May 29, 2020, museums, art galleries, zoos, and aquariums may reopen to the public. Capacity at these facilities shall be limited to the lesser of 50% based on listed fire code capacity or fifty persons. Interactive exhibits which encourage touching must remain closed and inaccessible to the public. Facilities operating pursuant to this Section must ensure that employees wear face coverings and shall abide by all other guidelines promulgated by NV OSHA.

SECTION 31: Effective 12:01 am on May 29, 2020, body art and piercing facilities may reopen to the public, subject to the following provisions:

- (1) Capacity at these facilities shall be limited to a maximum occupancy of 50% based on listed fire code capacity.
- (2) Partitions or walls between each workstation are strongly encouraged.
- (3) Establishments with walls or partitions between workstations may utilize all stations, but under no circumstances may more than one customer or client be seated at any given station or chair.
- (4) Establishments without walls or partitions between stations must ensure that a minimum of 6 feet of separation between customers is maintained.
- (5) Establishments must not accept customers or clients on a walk-in basis, and artists must not serve or accept appointments for more than one customer at any given time.
- (6) Customers waiting for appointments must wait outside the facility and must practice social distancing by maintaining a minimum of 6 feet of separation between customers not residing in the same household.
- (7) Artists, employees, and customers must wear face coverings at all times. Body art and piercings that require mask removal, including without limitation, work around the mouth and nose are prohibited.
- (8) Access must be limited to customers only; persons accompanying customers must not be inside the facility while services are performed.
- (9) Artists and facilities operating pursuant to this section must abide by all sanitation and other guidelines promulgated by NV OSHA.

SECTION 32: Effective 12:01 am on May 29, 2020, trade schools and technical schools may reopen to the public. Occupancy in classrooms and instructional areas at schools operating pursuant to this Section shall be limited to the lesser of 50% of maximum occupancy of based on listed fire code capacity or fifty persons, and must abide by all guidelines promulgated by NV OSHA. These provisions shall not be construed to limit the reopening plans of Nevada System of Higher Education institutions, schools under county school districts, charter schools, and the University School for Profoundly Gifted Students.

SECTION 33: Summer camps may continue to operate pursuant to all applicable licensure, regulatory, and statutory requirements and are encouraged to following guidelines issued by the LEAP.

SECTION 34: Effective 12:01 am on May 29, 2020, massage therapists, massage establishments, and other professionals licensed by the Nevada State Board of Massage Therapy may reopen to the public subject to the following provisions:

# Declaration of Emergency Directive 021 – Phase Two Reopening (Cont.)

- (1) Massage establishments must follow all NV OSHA and Nevada State Board of Massage Therapy sanitization guidelines.
- (2) Massage therapists, masseuses, and other employees must wear face coverings at all times. Establishments should strongly encourage customers to wear face coverings to the maximum extent practicable.
- (3) Massage therapists and massage establishments must not accept customers or clients on a walk-in basis, and must not serve or accept appointments for more than one customer at any given time.
- (4) Customers waiting for appointments must wait outside the facility and must practice social distancing by maintaining a minimum of 6 feet of separation between customers not residing in the same household.
- (5) Out-call or in-home service are permitted, subject to all sanitation protocols and face covering requirements provided in this section.
- (6) Establishments, including day and overnight spas, may reopen for massage services as allowed in the Phase 2 Directive. Spas or other establishments that open in Phase 2 must close and prohibit use of steam rooms, saunas, portable saunas, vapor baths, salt therapy rooms, hot tubs, and any other communal facilities (except for pools as allowed in the Phase 2 Directive).
- (7) Persons licensed by the Nevada State Board of Massage Therapy must abide by all guidelines promulgated by the Board. The Board is directed to impose disciplinary measures against licensees who violate this provision.

SECTION 35: Directive 002 and Section 021 of Directive 018 are hereby terminated. The Nevada Gaming Control Board shall promulgate requirements for a phased and incremental resumption of gaming operations, with openings commencing no sooner than 12:01 am June 4, 2020. Failure of a gaming licensee to comply with any such requirements shall be considered injurious to the public health, safety, morals, good order and general welfare of the inhabitants of the State, and constitute a failure to comply with this Directive. The Nevada Gaming Control Board is hereby authorized to enforce this Directive as necessary, including, but without limitation, pursuing disciplinary action to limit, condition, suspend, and/or revoke a license, and/or impose a monetary fine against a licensee in accordance with the Gaming Control Act.

SECTION 36: Cannabis dispensaries shall continue to operate under the Phase One conditions set forth in Section 22 of Directive 018.

SECTION 37: Previous Directives not specifically referenced herein remain in effect for the duration specified in those specific Directives or subsequent extensions, unless specifically terminated or extended renewed by subsequent Directive. Directive 018 and all Directives incorporated by reference within Directive 018 with specific expiration dates are extended until June 30, 2020.

SECTION 38: Pursuant to NRS 414.060(3)(f), I hereby delegate to state agencies, and each county of this state, to include the consolidated municipality of Carson City, and local municipalities, the authority to adopt additional protective measures intended to combat the spread of COVID-19, including without limitation, stay at home and face covering orders, so long as those measures are at least as restrictive as those imposed by all Directives promulgated pursuant to the Declaration of Emergency for COVID-19 issued on March 12, 2020. Additional restrictive measures adopted by counties and municipalities may be implemented without additional approval by the State.

SECTION 39: Pursuant to NRS 414.060(3)(f), I hereby authorize all local, city, and county governments, and state agencies to enforce this Directive and regulations promulgated thereunder, including but not limited to, suspending licenses, revoking licenses, or issuing penalties for violating business, professional, liquor, tobacco, or gaming licenses issued by the local jurisdiction for actions that jeopardize the health, safety, or welfare of the public; conduct which may injuriously affect the public health, safety, or welfare; conduct that may be detrimental to the public peace, health, or morals; or any other applicable ordinance or requirement for such a license.

SECTION 40: The State of Nevada shall retain all authority vested in the Governor pursuant to NRS Chapter 414.

SECTION 41: This Directive shall remain in effect through June 30, 2020, unless terminated or extended by a subsequent Directive promulgated pursuant to the March 12, 2020 Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 28<sup>th</sup> day of May, in the year two thousand twenty.



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Governor of the State of Nevada

*Barbara K. Geisler*  
Secretary of State

*Scott W. Litchman*  
Deputy Secretary of State