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Deputy Administrator

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Chief Administrative Officer

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

**Date:** April 24, 2023  
**To:** Nevada Businesses  
**Re:** High Winds Guidance for Nevada Businesses

**Background**

High winds are known to regularly occur in broad regions of Nevada. The presence of high winds can potentially place outdoor workers at risk of serious physical injury or death. Examples of such hazards include, but are not limited to:

- Unsecured building materials striking workers.
- Workers blown from an upper level to a lower level.
- Collapses of structures onto workers.
- Tools and equipment striking or falling on workers.

Pursuant to 29 CFR 1926.968 – Electric Power Transmission and Distribution, Federal OSHA defines high wind conditions as a wind of such velocity that one or more of the following hazards would be present:

1. *The wind could blow an employee from an elevated location,*
2. *The wind could cause an employee or equipment handling material to lose control of the material, or*
3. *The wind would expose an employee to other hazards not controlled by the standard involved.*

*Note to the definition of "high wind": The Occupational Safety and Health Administration normally considers winds exceeding 64.4 kilometers per hour (40 miles per hour), or 48.3 kilometers per hour (30 miles per hour) if the work involves material handling, as meeting this criteria, unless the employer takes precautions to protect employees from the hazardous effects of the wind.*

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

Additionally, Federal OSHA addresses wind hazards in various other regulations such as:

29 CFR 1910.27(b)(2)(xi) – Walking-Working Surfaces

*Use of rope descent systems. The employer must ensure: No employee uses a rope descent system when hazardous weather conditions, such as storms or gusty or excessive wind, are present.*

29 CFR 1926.451(f)(12) – Scaffolds

*Use. Work on or from scaffolds is prohibited during storms or high winds unless a competent person has determined that it is safe for employees to be on the scaffold and those employees are protected by a personal fall arrest system or wind screens. Wind screens shall not be used unless the scaffold is secured against the anticipated wind forces imposed.*

29 CFR 1926.1431(k)(8)(i) – Cranes and Derricks in Construction.

*Wind. When wind speed (sustained or gusts) exceeds 20 mph at the personnel platform, a qualified person must determine if, in light of the wind conditions, it is not safe to lift personnel. If it is not, the lifting operation must not begin (or, if already in progress, must be terminated).*

**Duties of Employers**

In general, wind speeds are highly variable depending on the location, altitude, and season. Employers are expected to monitor working conditions at any location where their employees are performing work, to identify hazards that are causing or are likely to cause harm to their employees, and to implement effective methods to control those hazards.

As discussed in this document, Federal OSHA has promulgated specific task-related enforceable standards that can be enforced by Nevada OSHA. However, Nevada OSHA has not promulgated its own enforceable standards that define high wind requirements at this time.

**Recommendations for Businesses**

Businesses can take proactive steps to mitigate the effects of high winds and meet their general duty to protect their employees.

When increased wind speeds are forecasted or observed, employers should consider the following:

- Monitor wind speeds routinely throughout the shift by utilizing a weather service such as the National Weather Service at [www.weather.gov](http://www.weather.gov), or other services such as Windy at [www.windy.com](http://www.windy.com).
- Provide training regarding the hazards of high wind speeds and encourage employees to report issues related to wind to their supervisor.

- Assess if additional controls are needed to maintain safe work practices such as, but not limited to:
  - Brace or tie down otherwise unsecured building materials.
  - Utilize personal protective equipment such as personal fall arrest systems.
  - Implement job modifications such as assigning workers different tasks for the day as needed.
  - Evaluate existing regulatory requirements such as those listed on page 1 and 2 of this document for compliance.
- When wind levels rise to the level of exposing workers to hazards such as those listed on page 1 of this document, employers should consider postponing non-emergency work until wind conditions reduce to safer levels.
- Establish clear procedures for when work stoppage will occur as a result of hazardous wind conditions and inform workers of those procedures.

### **Assistance Available from Nevada Safety Consultation and Training Section (SCATS)**

SCATS is here to help. SCATS is focused on keeping Nevadans safe and healthy while on the job. SCATS offers resources for employers and employees alike, from training to consultation to safety program review. High winds are a recognized hazard that should be addressed in each business's Written Workplace Safety Program (WWSP). SCATS can review and make recommendations on best practices and implementation of an employer's high wind protocols. If your business has questions or needs onsite training or consultation, please submit a request by calling 877-472-3368 or submitting a consultation request at <https://www.4safenv.state.nv.us/contact/>.

### **How to File a Complaint**

Employees who feel they have been exposed to a hazardous condition in the workplace, have the right to raise their concerns with their employer or to file a complaint with Nevada OSHA. Such a complaint may trigger an inspection of the workplace. An employee who raises concerns with their employer or files an OSHA complaint is protected against retaliation or discrimination for having done so by NRS 618.445 and section 11(c) of the federal Occupational Safety and Health Act, Pub. L. 91-596, 84 Stat. 1590. If an employee files a complaint with Nevada OSHA, their name and contact information will be held as confidential information pursuant to NRS 618.341(3)(a).

To file a complaint, please visit <https://www.osha.gov/workers/file-complaint> or call Nevada OSHA at (702) 486-9020 (southern Nevada) or (775) 688-3700 (northern Nevada).

### **References:**

#### **Nevada Weather Service**

- [www.weather.gov](http://www.weather.gov)

#### **Windy: Wind Map and Weather Report**

- [www.windy.com](http://www.windy.com)