

# **HEALTH AND SAFETY POLICIES FOR RESUMPTION OF GAMING OPERATIONS**

## **RESTRICTED LICENSEES**

### **INTRODUCTION**

On March 12, 2020, Governor Steve Sisolak issued the Declaration of Emergency for COVID-19 pursuant to the emergency powers conferred upon the Governor of Nevada by chapter 414 of NRS. Pursuant to his Declaration of Emergency, Governor Sisolak issued Emergency Directive 002 on March 18, 2020, which suspended all gaming operations for 30 days. The expiration of Emergency Directive 002 was subsequently extended to April 30, 2020 by Emergency Directive 010. Pursuant to Governor Sisolak's "Nevada United: Roadmap to Recovery" plan, gaming operations will not resume in the beginning stage of recovery, and it will be incumbent upon the Board to ensure the safe reopening of gaming operations in this State.

The purpose of these policies and procedures (Policy) is to notify Nevada's restricted gaming licensees of new operational requirements to mitigate and reduce the risk of exposure to COVID-19 for all employees, patrons, and other guests.

NRS 463.0129(1)(d) requires that all establishments where gaming is conducted and where gaming devices are operated be controlled and assisted to protect the public health and safety of Nevada's residents, and the Nevada Gaming Control Board (Board) and Nevada Gaming Commission remain resolute in ensuring that gaming operations in this State do not compromise the health and safety of Nevadans.

In consultation with the Office of the Governor, as well as federal, state, and local health officials, the Board has created this Policy to diminish personal contact and increase the level of disinfection in high-use areas, and expects full compliance with this Policy by its restricted licensees. COVID-19 research is continuously developing. In the event of a conflict between any provision set forth in this Policy and any policy or requirement of a federal, state, or local health authority, the requirements set forth by those health authorities shall control.

The Board issued Industry Notice #2020-25 on May 1, 2020. On May 7, the Nevada Gaming Commission ratified this Policy and confirmed the Board's ongoing responsibility to issue health and safety policies for the gaming industry. On May 27, the Governor directed the Board to promulgate requirements for a phased and incremental resumption of gaming operations, and confirmed that the 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 the Governor's Emergency Directives. Gaming operations were authorized to resume on June 4, 2020, so long as licensees remain in full compliance with this Policy, as amended.

## **CREATION AND IMPLEMENTATION OF COVID-19 MITIGATION PLAN**

Each restricted licensee must acknowledge that it will comply with this Policy. Such acknowledgement must be submitted to [Ops@gcb.nv.gov](mailto:Ops@gcb.nv.gov) at least seven (7) days before reopening. This Policy should not be implemented on a temporary basis; rather, it should be regularly and continuously reviewed and executed to ensure the health and safety of licensees' guests and employees. The Board will provide updates to this Policy as circumstances surrounding this health crisis evolve.

To comply with this Policy, the Board recognizes that certain statutory provisions, including, without limitation, those set forth in subsection 2 of NRS 463.161, contain certain requirements imposed upon restricted licensees in certain counties. Pursuant to section 13 of the Governor's Declaration of Emergency Directive 016, the Board is required to implement a phased and incremental resumption of gaming operations. Accordingly, restricted licensees subject to the requirements in subsection 2 of NRS 463.161 may choose to delay full compliance with certain of those criteria when implementing the new operational requirements set forth in this Policy. A restricted licensee that intends to delay full compliance with these statutory requirements must provide full details thereof to the Enforcement Division at [Ops@gcb.nv.gov](mailto:Ops@gcb.nv.gov). The Board will not consider delayed compliance with such statutory requirements a violation of the Gaming Control Act, so long as a restricted licensee fully complies with this Policy. The Board will revisit this exercise of prosecutorial and regulatory discretion as the Governor's office and the Board continue to track the effects of COVID-19 on the State of Nevada.

## **PROCEDURES PRIOR TO RESUMING GAMING OPERATIONS**

Prior to reopening, each restricted licensee shall clean and disinfect all of its hard and soft surfaces in accordance with the guidelines published by the Centers for Disease Control and Prevention (CDC) for [Cleaning and Disinfecting Your Facility](#).

Each licensee must ensure its employees are adequately trained on: (1) the proper cleaning and disinfecting procedures set forth in the CDC's guidance above; and (2) how to prevent the spread of infectious disease, including, without limitation, [social distancing](#), [handwashing](#), and not [spreading germs at work](#). Licensees should ensure that any training provided pursuant to this Policy is documented.

## **HEALTH AND SAFETY PROCEDURES ONCE OPERATIONAL**

When implementing this Policy, licensees should utilize the [Interim Guidance for Businesses and Employers to Plan and Respond to COVID-19](#), published by the CDC. The Board expects licensees to implement the following actions upon reopening.

*Employee and Patron Health Concerns:*

Signage should be posted throughout the property reminding employees and patrons of proper hygiene, including, without limitation, proper handwashing, how to cover coughs and sneezes, and to avoid touching their faces.

Employees should be instructed to stay home if they do not feel well, and to contact a supervisor or manager if they notice a co-worker or patron experiencing [symptoms associated with COVID-19](#), such as coughing, shortness of breath, or other flu-like symptoms.

If a licensee is informed or is alerted to a case of COVID-19 at its property, it must communicate the case to and cooperate with its local health authorities. All employees should receive clear instructions on how to properly and efficiently respond to all presumed cases of COVID-19. Licensees should follow the appropriate steps to conduct additional cleaning and disinfecting protocols of all areas that patrons visited during their stay in accordance with guidelines issued by the licensee's local health authority.

*Employee Training and Responsibilities:*

Proper and frequent handwashing with soap is vital to help combat the spread of COVID-19. All employees should be required and consistently reminded to wash their hands with soap and warm water for 20 seconds, before the start of a shift, at least once during every break period, and several times during their shifts, including, without limitation, every time they change their gloves or otherwise contaminate their hands.

Appropriate personal protective equipment (PPE) may be required or recommended by federal, state, or local authorities. When required or recommended, licensees must ensure that PPE is utilized and properly worn by employees, and provide training on how to properly use, wear, and dispose of all PPE.

*Use of Face Coverings by Patrons and Guests:*

Pursuant to Governor Sisolak's [Emergency Directive 024](#), licensees shall ensure that all patrons and guests properly utilize face coverings, subject to the guidelines in the Directive. This Policy fully incorporates Emergency Directive 024, including, without limitation, all of its requirements, conditions, limitations, and exceptions. Licensees should have dedicated signage throughout the establishment notifying patrons that face coverings are required. Pursuant to the authority granted to the Board in section 35 of Emergency Directive 021 and section 10 of Emergency Directive 024, the Board will strictly enforce Emergency Directive 024.

### *Gaming Machines*

Licensees must ensure that the floor plan for gaming machines creates proper social distancing between patrons. To achieve these requirements, licensees may remove every other chair or stool in front of a gaming machine or cover a machine's bill and ticket validator so that patrons do not use that machine. Licensees could propose other measures to ensure proper distance between patrons. Additionally, licensees should assign employees to focus on ensuring guests do not congregate in groups.

Licensees must clean and disinfect gaming machines, devices, chairs, and other ancillary equipment on a regular basis. Licensees should make hand sanitizer or disinfectant wipes available for patron use.

### *Occupancy Limits*

In order to achieve the social distancing guidelines issued by federal, state, and local health authorities, licensees must limit a property's occupancy to no more than fifty percent (50%) of the occupancy limit assigned to the property by local building and fire codes.

### *Cleaning & Disinfection Guidelines Generally:*

Licensees must provide for the regular disinfection of high-use and high-touch areas, including, without limitation, bar tops, bar top gaming devices, bar stools, chairs, dining areas, customer-facing countertops, ATMs, payment terminals, marketing kiosks, and jukeboxes. Both employee- and customer-used point of sale terminals must be cleaned and disinfected continuously, preferably after each customer use. All table tents and other promotional materials must be removed from dining and bar areas.

Licensees should utilize cleaning products that meet Environmental Protection Agency (EPA) guidelines and are approved for use and effective against viruses, bacteria, and other airborne and bloodborne pathogens. A list of disinfectants approved by the EPA for use against COVID-19 can be found [here](#). All disinfectants should be used in accordance with their labels to ensure proper application, contact time, and user safety.

During dining service, beverage stations, service stations and carts, counters, handrails, and serving trays must be cleaned and disinfected regularly during hours of operation. Menus, menu covers, check presenters, pens, and all other items regularly reused by guests and employees must be disinfected on a regular basis and again at the end of each working shift.

Guests should be served with single-use, disposable glassware, plates, napkins, and utensils. Condiments may only be provided in single-use packets.

Tavern, supermarket, and convenience store managers must ensure that disinfection protocols are followed for all interior and exterior door handles, kitchen or other back of house work stations, and restrooms.

Health and hygiene [reminders](#) and [instructions](#) must be posted publicly, in the view of patrons.

#### *Social Distancing Protocols: Taverns*

A tavern may not exceed more than 50% of its total capacity at any time. Dining seating capacity is also limited to 50% of a dining area's total capacity.

To ensure compliance with this Policy, a restricted licensee operating as a tavern must ensure that bar service and bar top gaming comply with state and local social distancing protocols. For example, every other bar stool may be removed to effectuate proper social distancing among patrons.

#### *Social Distancing Protocols: Supermarkets and Convenience Stores*

Gaming attendants must ensure appropriate social distancing between operational gaming devices; for example, by removing every other gaming stool or covering the bill and ticket validator on every other machine. Guests should be discouraged from congregating around gaming devices.

Health and hygiene [reminders](#) and [instructions](#) must be posted publicly, in the view of patrons.

### **CONCLUSION**

This Policy is subject to revision by the Board based on recommendations from federal, state, and local health authorities related to the spread of COVID-19. The Board will keep restricted licensees apprised of any changes so that licensees' practices can be updated.