

NEVADA Labor Laws

Minimum Wage

JOE LOMBARDO GOVERNOR TERRY REYNOLDS BRETT HARRIS

LABOR COMMISSIONER

STATE OF NEVADA **Department of Business &** Industry OFFICE OF THE LABOR

PHONE: (702) 486-2650 FAX (702) 486-2660 OFFICE OF THE LABOR COMMISSIONER 1818 COLLEGE PARKWAY, SUITE 102 COMMISSIONER CARSON CITY, NV 89706 www.labor.nv.gov PHONE: (775) 684-1890 FAX (775) 687-6409

STATE OF NEVADA MINIMUM WAGE **2023 ANNUAL BULLETIN**

POSTED APRIL 1, 2023

URSUANT TO ARTICLE 15, SECTION 16(A) OF THE CONSTITUTION OF THE STATE OF NEVADA AND ASSEMBLY BILL (AB) 456 PASSED DURING THE 80TH REGULAR SESSION OF THE NEVADA LEGISLATURE (2019). THE FOLLOWING MINIMUM WAGE RATES SHALL APPLY TO ALL EMPLOYEES IN THE STATE OF NEVADA UNLESS OTHERWISE EXEMPTED. THESE RATES ARE EFFECTIVE AS OF JULY 1, 2023 AND WILL INCREASE AS SET FORTH BELOW UNTIL JULY 1, 2024.

FOR EMPLOYEES TO WHOM QUALIFYING HEALTH BENEFITS HAVE BEEN OFFERED/MADE AVAILABLE BY THE EMPLOYER THE LOWER TIER RATE MAY BE PAID. PLEASE SEE SENATE BILL 192 PASSED DURING THE 80TH REGULAR SESSION OF THE NEVADA LEGISLATURE (2019)

FOR ALL OTHER EMPLOYEES, EMPLOYERS MUST PAY THE HIGHER TIER RATE AS SET FORTH BELOW

Effective date	Lower Tier	Higher Tier
July 1, 2022	\$9.50	\$10.50
July 1, 2023	\$10.25	\$11.25

NEVADA BALLOT QUESTION 2 PASSED NOVEMBER 2022 ELIMINATES TWO-TIER MINIMUM WAGE AS OF JULY 1, 2024:

> July 1, 2024 \$12.00

Copies of this notice may be obtained from our website at: www.labor.nv.gov or by contacting the addresses and phone numbers listed above.

> Assembly Bill 456 https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6870/Text Senate Bill 192 https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6334/Text

OTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an ployee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Reply To:

CARSON CITY, NEVADA 89706

TELEPHONE: (775) 684-1890

FACSIMILE: (775) 687-6409

3340 WEST SAHARA AVENU

1818 F. COLLEGE PARKWAY, SUITE 102

☐ OFFICE OF THE LABOR

COMMISSIONER

OFFICE OF THE LABOR COMMISSIONER

3340 WEST SAHARA AVENUE

LAS VEGAS, NV 89102

JOE LOMBARDO GOVERNOR TERRY REYNOLDS LABOR COMMISSIONER STATE OF NEVADA Department of **Business & Industry** OFFICE OF THE LABOR COMMISSIONER

www.labor.nv.gov

LAS VEGAS, NEVADA 89102 TELEPHONE: (702) 486-2650 FACSIMILE: (702) 486-2660

OFFICE OF THE LABOR

COMMISSIONER

STATE OF NEVADA DAILY OVERTIME **2023 ANNUAL BULLETIN**

EMPLOYERS MUST PAY 1-1/2 TIMES AN EMPLOYEE'S REGULAR WAGE RATE WHENEVER AN EMPLOYEE WHO IS PAID. LESS THAN 1-1/2 TIMES THE APPLICABLE MINIMUM WAGE RATE WORKS MORE THAN 40 HOURS IN ANY WORKWEEK OR

MORE THAN 8 HOURS IN ANY WORKDAY, UNLESS OTHERWISE EXEMPTED. EMPLOYERS SHOULD REFER TO NRS 608.018 FOR FURTHER DETAILS ON OVERTIME REQUIREMENTS.

THE FOLLOWING AMOUNTS ARE THE WAGE RATES BELOW FOR WHICH DAILY OVERTIME MAY BE APPLICABLE. THESE RATES ARE EFFECTIVE AS OF JULY 1, 2023.

EMPLOYEES WHO EARN LESS THAN \$15.375 PER HOUR (OFFERED QUALIFIED HEALTH BENEFITS) OR LESS THAN \$16.875 PER HOUR (NOT OFFERED QUALIFIED HEALTH BENEFITS) ARE ELIGIBLE FOR OVERTIME AT ONE AND A HALF TIMES THE EMPLOYEE'S REGULAR RATE OF PAY FOR:

OVER 8 HOURS OF WORK IN A 24-HOUR PERIOD; OR

OVER 40 HOURS OF WORK IN A WORK WEEK.

EMPLOYEES THAT MAKE MORE THAN THE HOURLY RATES ABOVE ARE ELIGIBLE FOR OVERTIME AT ONE AND A HALF TIMES THE EMPLOYEE'S REGULAR RATE OF PAY FOR OVER 40 HOURS OF WORK IN A WORK WEEK. THE EMPLOYER MUST VERIFY THE RATES ABOVE \$15.375 PER HOUR AND \$16.875 PER HOUR BASED ON QUALIFIED HEALTH BENEFITS BEING OFFERED OR NOT OFFERED TO EMPLOYEES TO PAY OVERTIME FOR OVER 40 HOURS OF WORK IN A WORK WEEK

Copies may be obtained at www.labor.nv.gov or from the Labor Commissioner's Offices listed above.

Assembly Bill 190

TERRY REYNOLDS DIRECTOR SHANNON M. CHAMBERS LABOR COMMISSIONER

OFFICE OF THE LABOR COMMISSIONER **Department of Business** & Industry OFFICE OF THE LABOR COMMISSIONER http://www.labor.nv.gov

1818 COLLEGE PARKWAY, SUITE 102 PHONE (775) 684-1890 FAX (775) 687-6409 OFFICE OF THE LABOR COMMISSIONER 3300 W. SAHARA AVE. SUITE 225 LAS VEGAS, NEVADA 89102

PHONE (702) 486-2650 FAX (702) 486-2660

REQUIRED POSTING – ASSEMBLY BILL 190 https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7578/Text#

ffective October 1, 2021, as set forth in Assembly Bill 190 a new section is added to Chapter 608 of NRS ection 1. Chapter 608 of NRS is hereby amended by adding thereto a new section to read as follows:

Except as otherwise provided in this section, if an employer provides paid or unpaid sick leave for the use of his or her employees, the employer must allow an employee to use any accrued sick leave to assist a member of the immediate family of the employee who has an illness, injury, medical appointment or other authorized medical need to the same extent and under the same conditions that apply to the employee when taking

An employer may limit the amount of sick leave that an employee may use pursuant to subsection 1 to an amount which is equal to not less than the amount of sick leave that the employee accrues during a 6- month

The Labor Commissioner shall prepare a bulletin which clearly sets forth an explanation of the provisions of this section. The Labor Commissioner shall post the bulletin on the Internet website maintained by the Office of the Labor Commissioner and shall require each employer that provides sick leave to employees to post the bulletin in a conspicuous location in each workplace maintained by the employer. The bulletin may be included in any printed abstract posted by the employer pursuant to NRS 608.013.

The provisions of this section shall not be construed to: (a) Limit or abridge any other rights, remedies or procedures available under the law; (b) Negate any other rights, remedies or procedures available to an aggrieved party; (c) Prohibit, preempt or discourage any contract or other agreement that provides a more generous sick leave benefit or paid time off benefit; or (d) Extend the maximum amount of leave to which an employee is entitled to take pursuant to the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et seg.

An employer shall not deny an employee the right to use accrued sick leave in accordance with the provisions of this section or retaliate against an employee for attempting to prosecute a violation of this section or for exercising any rights afforded by this section.

The provisions of this section do not apply: (a) To the extent prohibited by federal law; or (b) With regard to an employee of the employer if the employee is covered under a valid collective bargaining agreement.

As used in this section, "immediate family" means: (a) The child, foster child, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent of an employee; or (b) Any person for whom the employee is the legal guardian.

Domestic Violence

STEVE SISOLAK MICHAEL J. BROWN DIRECTOR SHANNON M. CHAMBERS LABOR COMMISSIONER

STATE OF NEVADA **Department of Business** & Industry OFFICE OF THE LABOR COMMISSIONER www.labor.nv.gov

OFFICE OF THE LABOR COMMISSIONER 1818 COLLEGE PARKWAY, SUITE 102 CARSON CITY, NV 89706 PHONE: (775) 684-1890

FAX (775) 687-6409 OFFICE OF THE LABOR COMMISSIONER 3300 WEST SAHARA AVENUE, SUITE 225 LAS VEGAS, NEVADA 89102 PHONE: (702) 486-2650 FAX (702) 486-2660

DOMESTIC VIOLENCE BULLETIN

EFFECTIVE January 1, 2018 NRS 608.0198

omestic violence, or whose family or household member is a victim of an act which constitutes domestic violence, and the employee is not the alleged perpetrator, is entitled to not more than 160 hours of leave in one 12-month eriod. Hours of leave provided pursuant to this subsection:

a) May be paid or unpaid by the employer;

(b) Must be used within the 12 months immediately following the date on which the act which constitutes domestic

c) May be used consecutively or intermittently; and

(d) If used for a reason for which leave may also be taken pursuant to the Family and Medical Leave Act of 1193, 29 J.S.C. §§ 2601 et seq., must be deducted from the amount of leave the employee is entitled to take pursuant to this section and from the amount of leave the employee is entitled to take pursuant to the Family and Medical Leave Act of 993, 29 U.S.C. §§ 2601 et. Seq.

. An employee may use the hours of leave pursuant to subsection 1 as follows:

(a) An employee may use the hours of leave only: 1) For the diagnosis, care o treatment of a health condition related to an act which constitutes domestic violence

ommitted against the employee or a family or household member of the employee; 2) To obtain counseling or assistance related to an action which constitutes domestic violence committed against the employee or a family or household member of the employee

3) To participate in court proceedings related to an act which constitutes domestic violence committed against the employee or a family or household member of the employee;

4) To establish a safety plan, including, without limitation, any action to increase the safety of the employee or the

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family or household member of the employee from a future act which constitutes domestic violence. (b) After taking any hours of leave upon the occurrence of the action which constitutes domestic violence, an mployee shall give not less than 48 hours advance notice to his or her employer of the need to use additional hours f leave for any purpose listed in paragraph (a).

3. An employer shall not:

(a) Deny an employee the right to use hours of leave in accordance with the conditions of this section; (b) Require an employee to find a replacement worker as a condition of using hours of leave; or (c) Retaliate against and employee for using hours of leave.

4. The employer of an employee who takes hours of leave pursuant to this section may require the employee to provide to the employer documentation that confirms or supports the reason the employee provided for requesting leave. Such documentation may include, without limitation, a police report, a copy of an application for an order for protection, an affidavit from an organization which provides services to victims of domestic violence or documentation from a physician. Any documentation provided to an employer pursuant to this subsection is confidential and must be retained by the employer in a manner consistent with the requirements of the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et seg.

5. The Labor Commissioner shall prepare a bulletin which clearly sets forth the right to the benefits created by this section. The Labor Commissioner shall post the bulletin on the Internet website maintained by the Office of Labor Commissioner, if any, and shall require all employers to post the bulletin in a conspicuous location in each workplace maintained by the employer. The bulletin may be included in any printed abstract posted by the employer pursuant to

. An employee who has been employed by an employer for at 90 days and who is a victim of an act which constitutes 6. An employer shall maintain a record of the hours of leave taken pursuant to this section for each employee for a 2-year period following the entry of such information in the record and, upon request, shall make those records available for inspection by the Labor Commissioner. The employer shall exclude the names of the employees from the records, unless a request for a record is for the purpose of an investigation.

7. The provisions of this section do not:

(a) Limit or abridge any other rights, remedies or procedures available under the law. (b) Negate any other rights, remedies or procedures available to an aggrieved party.

(c) Prohibit, preempt or discourage any contract or other agreement that provides a more generous leave benefit or paid leave benefit. 8. As used in this section:

(a) "Domestic violence" has the meaning ascribed to it in NRS 33.018.

(b) "Family or household member" means a" (1) Spouse;

(2) Domestic Partner;

(4) Parent or other adult person who is related within the first degree of consanguinity or affinity to the employee, or other adult person who is or was actually residing with the employee at the time of the act which constitutes

Pursuant to NRS 608.195 (except as otherwise provided in NRS 608.0165) any person who violates provisions of NRS 608.005 to 608.195 inclusive is guilty of a misdemeanor. In addition to any other remedy or penalty, the Labor Commissioner may impose against the person an administrative penalty of not more than \$5,000 for each violation.

Senate Bill 209

STEVE SISOLAK **TERRY REYNOLDS** SHANNON M. CHAMBERS

STATE OF NEVADA **Department of Business** & Industry **OFFICE OF THE LABOR** COMMISSIONER http://www.labor.nv.gov

REQUIRED POSTING – SENATE BILL 209

https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7670/Text#

Effective Immediately as set forth in Senate Bill 209 passed during the 2021 Legislative Session,

Nevada Revised Statutes (NRS) section 608.0197 is hereby amended and a new section is added

to Chapter 608 as follows:

Except as otherwise provided in subsections 6 and 10, in addition to the paid leave provided pursuant to

NRS 608.0197, every employer in private employment shall provide 2 or 4 hours, as determined pursuant

to subsection 2 of paid leave to each employee for the purpose of the employee receiving a vaccination for

If an employee is to receive a vaccination for COVID-19 and the vaccination requires: (a) Only one dose, the

employee may take 2 consecutive hours of paid leave to receive the vaccination for COVID-19. (b) Two separate

doses that are administered on two separate occasions, the employee may take 2 consecutive hours of paid leave

. (b) An employer shall allow an employee to use paid leave for any use, including, without limitation:

OFFICE OF THE LABOR COMMISSIONER 1818 COLLEGE PARKWAY, SUITE 102 **CARSON CITY, NEVADA 89706** PHONE (775) 684-1890 FAX (775) 687-6409

An employer, and any agent, representative, supervisory employee or other person acting on behalf of or under the authority of the employer, shall not: (a) Deny an employee the right to use the paid leave provided to the employee pursuant to this section; (b) Require an employee to find a replacement worker as a condition of using the paid leave provided to the employee pursuant to this section; or (c) Retaliate or take any adverse action OFFICE OF THE LABOR COMMISSIONER against an employee for using the paid leave provided to the employee pursuant to this section. Such prohibited 3300 W. SAHARA AVE. SUITE 225 retaliation includes, without limitation: (1) Discharging or firing the employee; (2) Penalizing the employee in LAS VEGAS, NEVADA 89102 any fashion; and (3) Deducting the paid leave provided to the employee pursuant to this section from the salary PHONE (702) 486-2650 or wages of the employee. FAX (702) 486-2660

employer pursuant to NRS 608.013.

Any paid leave provided to an employee pursuant to this section must not be used in calculating the number of hours for which an employee is entitled to be compensated for overtime.

An employee shall, at least 12 hours before using paid leave provided to the employee pursuant to this section,

give notice to his or her employer that the employee intends to use the paid leave.

This section does not apply to an employer who provides a clinic on the premises of the employer where an employee may receive a vaccination for COVID-19 during the regular hours of work of the employee.

The Labor Commissioner shall prepare a bulletin which clearly sets forth the benefits created by this section. The Labor Commissioner shall post the bulletin on the Internet website maintained by the Office of Labor Commissioner. if any, and shall require all employers to post the bulletin in a conspicuous location in each

workplace maintained by the employer. The bulletin may be included in any printed abstract posted by the

An employer shall maintain a record of the receipt or accrual and use of paid leave pursuant to this section for each employee for a 1-year period following the entry of such information in the record and, upon request, shall make those records available for inspection by the Labor Commissioner.

The provisions of this section do not: (a) Limit or abridge any other rights, remedies, or procedures available under the law. (b) Negate any other rights, remedies, or procedures available to an aggrieved party. (c) Prohibit, preempt, or discourage any contract or other agreement that provides a more generous paid leave benefit or paid time off benefit.

For the first 2 years of operation, an employer is not required to comply with the provisions of this section.

As used in this section:(a) "COVID-19" means: (1) The novel coronavirus identified as SARS-CoV-2: (2) Any mutation or variant of the novel coronavirus identified as SARS-CoV-2; or (3) A disease or health condition caused by the novel coronavirus identified as SARS-CoV-2. (b) "Employer" means a private employer who has 50 or more employees in private employment in this State.

Paid Leave

per absence for a total of 4 hours of paid leave

MENDED SECTION 608.0197 SUBSECTION 2(b):

(2) Receiving a medical diagnosis or medical care.

(3) Receiving or participating in preventative care.

NEW SECTION CHAPTER 608 OF NRS:

(4) Participating in caregiving; or

(1) Treatment of a mental or physical illness, injury, or health condition.

(5) Addressing other personal needs related to the health of the employee

Office of the Labor Commissioner

Paid Leave Effective January 1, 2020 – Nevada Revised Statutes (NRS) § 608

Except as otherwise provided in Senate Bill (SB) 312, every employer in private employment with not less than 50 employees shall provide paid leave to each employee of the employer as follows:

A. An employee is entitled to at least 0.01923 hours of paid leave for each hour of work performed. B. Paid leave accrued may carry over for each employee between his or her benefit years of employment, except an imployer may limit the amount of paid leave for each employee carried over to a maximum of 40 hours per benefit

C. An employer shall:

1. Compensate an employee for the paid leave available for use by that employee at the rate of pay at which the employee is compensated at the time such leave is taken; and

2. Pay such compensation on the same payday as the hours taken are normally paid.). An employer may set a minimum increment of paid leave, not to exceed 4 hours that an employee may use at any

1. An employer shall provide to each employee on each payday an accounting of the hours of paid leave available for use by that employee. An employer may use the system that the employer uses to pay its employees to

provide the accounting of the hours of paid leave available for use by the employee. 2. An employer may, but is not required to, compensate an employee for any unused paid leave available for use by that employee upon separation from employment, except if the employee is rehired by the employer within 90 days after separation from that employer and the separation from employment was not due to the employee voluntarily leaving his or her employment, any previously unused paid leave hours available for use by that employee must be reinstated.

An employee in private employment may use paid leave available for use by that employee as follows: 1. An employer shall allow an employee to use paid leave beginning on the 90th calendar day of his or her

2. An employee may use paid leave available for use by that employee without providing a reason to his or her employer for such use.

3. An employee shall, as soon as practicable, give notice to his or her employer to use the paid leave available for use by that employee.

4. An employer shall not: deny an employee the right to use paid leave available for use by that employee in accordance with the conditions of this section; require an employee to find a replacement worker as a condition of using paid leave available for use by that employee; or retaliate against an employee for using paid leave available for use by that employee.

F. An employer shall maintain a record of the receipt or accrual and use of paid leave pursuant to this section for each employee for a 1-year period following the entry of such information in the record and, upon request, shall make those records available for inspection by the Labor Commissioner.

G. For the first 2 years of operation, an employer is not required to comply with the provisions of this section.

H. This section does not apply to: (a) An employer who, pursuant to a contract, policy, collective bargaining agreement or other agreement, provides employees with a policy for paid leave or a policy for paid time off to all scheduled employees at a rate of at least 0.01923 hours of paid leave per hour of work performed; and (b) Temporary, seasonal

Except as otherwise provided in NRS 608.0165, the Labor Commissioner may impose an administrative penalty of not more than \$5,000 for each violation of NRS 608.005 to 608.195 inclusive, in addition to other remedies or penalties as authorized by law.

Copies of this notice may be obtained from our website at: www.labor.nv.gov

For a copy of the SB 312: https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6553/Overview *This bulletin is a summary of SB 312. It is for posting and information purposes and should not be considered legal advice. Please refer to SB 312 and NRS section 608 for further details.

> For more information contact the Office of the Labor Commissioner Carson City 775-684-1890 or Las Vegas 702-486-265 Toll Free: 1-800-992-0900 Ext. 4850 Internet: www.labor.nv.gov

Every employer shall establish and maintain regular paydays and shall post a notice setting forth those

regular paydays in 2 conspicuous places. After an employer establishes regular paydays and the place of

notice in a manner that is calculated to provide actual notice of the change to each such employee.

It is unlawful for any person to take all or part of any tips or gratuities bestowed upon his employees.

agreement to divide such tips or gratuities among themselves.

and the employee.

cost to such employee.

Nothing contained in this section shall be construed to prevent such employees from entering into an

An employer may not require an employee to rebate, refund or return any part of his or her wage, salary or

compensation. Also, an employer may not withhold or deduct any portion of such wages unless it is for the

benefit of, and authorized by written order of the employee. Further, it is unlawful for any employer who

has the legal authority to decrease the wage, salary or compensation of an employee to implement such a

decrease unless: (a) Not less than 7 days before the employee performs any work at the decreased wage,

salary or compensation, the employer provides the employee with written notice of the decrease; or (b)

The employer complies with the requirements relating to the decrease that are imposed on the employer

pursuant to the provisions of any collective bargaining agreement or any contract between the employer

All uniforms or accessories distinctive as to style, color or material shall be furnished, without cost, to

employees by their employer. If a uniform or accessory requires a special cleaning process, and cannot be

easily laundered by an employee, such employee's employer shall clean such uniform or accessory without

An employer: (a) Shall not require an employee to be physically present at his or her place of work in order

to notify his or her employer that he or she is sick or has sustained an injury that is not work-related and

cannot work; (b) May require an employee to notify the employer that he or she is sick or injured and

An employer in private employment with not less than 50 employees shall provide paid leave to each

employee of the employer pursuant to the provisions of NRS section 608.0197 as follows: A. An employee

is entitled to at least 0.01923 hours of paid leave for each hour of work performed. B. Paid leave accrued

may carry over for each employee between his or her benefit years of employment, except an employer

may limit the amount of paid leave for each employee carried over to a maximum of 40 hours per benefit

employee at the rate of pay at which the employee is compensated at the time such leave is taken; and

(2) Pay such compensation on the same payday as the hours taken are normally paid. (See NRS section

In addition to the leave provided in NRS section 608.0197 an employer shall provide 2 to 4 hours of paid

NRS section 608.0197 subsection 2(b) states: An employer shall allow an employee to use paid leave

for any use, including, without limitation: (1) Treatment of a mental or physical illness, injury, or health

care.(4) Participating in caregiving; or (5) Addressing other personal needs related to the health of the

Senate Bill 386, cited as the "Nevada Hospitality and Travel Workers Right to Return Act", requires certain

employers to offer job positions to certain employees under certain conditions. This bill requires that

certain employees have an opportunity to return to their jobs when circumstances permit. See this link

Senate Bill 293 prohibits an employer or employment agency from seeking or relying on the wage or

refusing to interview, hire, promote or employ an applicant or from discriminating or retaliating against an

salary history of an applicant for employment; prohibits an employer or employment agency from

applicant if the applicant does not provide wage or salary history. SB293 Overview (state.nv.us)

An employer in private employment shall post the required bulletins and notices available at:

regarding preliminary guidance on this bill. Senate Bill 386 Preliminary Guidance (nv.gov).

condition. (2) Receiving a medical diagnosis or medical care. (3) Receiving or participating in preventative

leave to obtain a vaccination for COVID-19. Please see Senate bill 209 – 2021 Legislative Session for the full

608.0197 and Senate Bill 312 (2019) for full requirements and exceptions)

employee. (See Senate Bill 209 – 2021 Legislative Session)

https://labor.nv.gov/Employer/Employer_Posters/

provisions. https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7670/Text#

year. C. An employer shall: (1) Compensate an employee for the paid leave available for use by that

payment, the employer shall not change a regular payday or the place of payment unless, not fewer than 7

days before the change is made, the employer provides the employees affected by the change with written

REV. 6/11/2019

Wage and Hour Laws

RULES TO BE OBSERVED BY EMPLOYERS EVERY EMPLOYER SHALL POST AND KEEP POSTED IN A VISIBLE AND OPEN AREA FOR EMPLOYEES ON THE EMPLOYER'S PREMISES/PROPERTY THESE RULES TO BE OBSERVED BY NEVADA EMPLOYERS SUMMARIZING

NEVADA WAGE AND HOUR LAWS PURSUANT TO NEVADA REVISED STATUTES (NRS) AND NEVADA ADMINISTRATIVE CODE (NAC) SECTIONS 607 AND 608 Summary of NRS and NAC Provisions and should not be considered legal advice — REVISED 7-3-2023

*PLEASE NOTE: Every person, firm, association or corporation, or any agent, servant, employee, or officer of any such firm, association, or corporation, who violates any of these NRS and NAC provisions may be guilty of a misdemeanor and subject to penalties.

The Legislature hereby finds and declares that the health and welfare of workers and the employment of persons in private enterprise in this State are of concern to the State and that the health and welfare of persons required to earn their livings by their own endeavors require certain safeguards as to hours of service, working conditions and compensation therefor."

Discharge of employee: Whenever an employer discharges an employee, the wages and compensation 9. earned and unpaid at the time of such discharge shall become due and payable immediately.

Quitting employee: Whenever an employee resigns or quits his employment, the wages and compensation earned and unpaid at the time of his resignation or quitting must be paid no later than the day on which he would have regularly been paid or 7days after he resigns or quits, whichever is earlier.

An employer shall not employ an employee for a continuous period of 8 hours without permitting the employee to have an uninterrupted meal period of at least one-half hour. Every employer shall authorize and permit covered employees to take rest periods in the middle of each work period or as close to the middle of the work period as possible. The duration of the rest periods shall be based on the total hours worked daily at the rate of 10 minutes for each 4 hours or major fraction thereof. Authorized rest periods shall be counted as hours worked, for which there shall be no deduction from wages.

Effective July 1, 2023, each employer shall pay a wage to each employee of not less than \$10.50 per hour worked if the employer offers qualified health benefits, or \$11.25 per hour if the employer does not offer qualified health benefits. Offering health benefits means making qualified health benefits available to the employee for the employee and the employee's dependents at a total cost to the employee for premiums of not more than 10 percent of the employee's gross taxable income from the employer. Tips or gratuities received by employees shall not be credited as being any part of or offset against the minimum wage rates or the 10 percent premium for qualified health benefits. See https://labor.nv.gov/Employer/Employer_Posters/ for Annual Minimum Wage notice.

An employer shall pay 1 1/2 times an employee's regular wage rate whenever an employee whose wage rate is less than 1 1/2 times the minimum wage: (a) Works more than 40 hours in any scheduled week of work; or (b) Works more than 8 hours in any workday unless by mutual agreement the employee works a scheduled 10 hours per day for 4 calendar days within any scheduled week of work.

An employer shall pay 1 1/2 times an employee's regular wage rate whenever an employee whose wage rate is 1 1/2 times, or more than the minimum wage works more than 40 hours in any scheduled week of work. See https://labor.nv.gov/Employer/Employer_Posters/ for Annual Daily Overtime notice. 14. The above provisions do not apply to: (a) Employees who are not covered by the minimum wage provisions of the Constitution (b) Outside buyers; (c) Employees in a retail or service business if their regular rate is more than 1 1/2 times the minimum wage, and more than half their compensation for a representative period comes from commissions on goods or services, with the representative period being, to the extent allowed pursuant to federal law, not less than one month; (d) Employees who are employed in bona fide executive, administrative or professional capacities; (e) Employees covered by collective bargaining agreements which provide otherwise for overtime; (f) Drivers, drivers' helpers, loaders and mechanics for motor carriers subject to the Motor Carrier Act of 1935, as amended; (g) Employees of a railroad; (h) Employees of a carrier by air; (i) Drivers or drivers' helpers making local deliveries and paid on a trip-rate basis or other delivery payment plan; (j) Drivers of taxicabs or limousines; (k) Agricultural employees; (l) Employees of business enterprises having a gross sales volume of less than \$250,000 per year; (m) Any salesman or mechanic primarily engaged in selling or servicing automobiles, trucks or farm equipment; and (n) A mechanic or workman for any hours to which the provisions of subsection 3 or 4 of NRS 338.020 apply. (0) A domestic worker who resides in the household where he or she works if the domestic worker and his or her employer agree in writing to exempt the domestic worker from the requirements of subsections 1 and 2. 4. As used in this section, 'domestic worker" has the meaning ascribed to it in section 6 of this act.

If mutually agreed upon by an employee and employer in writing to exclude from the employee's wages a regularly scheduled sleeping period not to exceed 8 hours if adequate sleeping facilities are furnished pursuant to NRS section 608.0195.

Every employer shall establish and maintain records of wages for the benefit of his employees, showing for each pay period the following information for each employee: (a) Gross wage or salary; (b) Deductions agreed to in writing by the employer and employee for a specific purpose, pay period, and amount; (c)Net cash wage or salary; (d) Total hours employed in the pay period by noting the number of hours per day; (e) Date of payment

Wages must be paid semimonthly or more often.

This poster is in compliance with state posting requirements.

For additional information please visit: WWW.LABOR.NV.GOV Carson City 775-684-1890 or Las Vegas 702-486-2650 — TOLL FREE: 1-800-992-0900 Ext. 4850

REV. 07/03/2023

Assembly Bill 307

IOE LOMBARDO GOVERNOR TERRY REYNOLDS DIRECTOR **BRETT HARRIS**

COMMISSIONER

STATE OF NEVADA Department of Business & Industry **OFFICE OF THE LABOR** COMMISSIONER www.labor.nv.gov

Assembly Bill 307 – https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7811/Text

Notice fulfills DETR's April 1, 2023 required reporting:

EmployNV Business/Career Hubs- https://employnv.gov

Veterans Employment Services - https://detr.nv.gov/Page/Veteran_Services

vada Labor Market Information - https://nevadaworkforce.com/

Employment and Training Programs

Employment Services - https://employnv.gov

Migrant Seasonal Farm Workers (MSFW)

Eligible Training Provider List (ETPL)

REQUIRED POSTING – ASSEMBLY BILL 307

Effective July 1, 2022 as set forth in Assembly Bill (AB) 307 passed during the 2021 Legislative Sessior

Nevada Revised Statutes (NRS) section 232

is hereby amended with a new section as follows

napter 232 of NRS is hereby amended by adding thereto a new section to read as follows: 1. The Department

(Department of Employment, Training and Rehabilitation; DETR) shall prepare one or more notices concerning

job training or employment programs conducted by the Department, including, without limitation, the Career

Within 30-days following the end of each calendar quarter (October 1, January 1, April 1, and July 1), DETR will

Career Enhancement Program (CEP) - https://detr.nv.gov/Page/Career_Enhancement_Program_(CEP)

ttps://www.employnv.gov/vosnet/gsipub/documentview.aspx?enc=s0YLzxCf++EmSyMZiXZH1A==

Workforce Connections (southern Nevada) - https://nvworkforceconnections.org/?page_id=8082

https://www.employnv.gov/vosnet/guest.aspx?guesttype = IND&whereto = ETPLPROGRAMS

Nevadaworks (northern Nevada) - http://nevadaworks.com/service-providers/

nhancement Program and EmployNV Business/Career Hubs and provide each such notice to the Labor Commissioner

transmit to the Labor Commissioner an updated notice on the following job training and employment programs. This

OFFICE OF THE LABOR COMMISSIONER 3340 WEST SAHARA AVENUE LAS VEGAS, NEVADA 89102 PHONE: (702) 486-2650 FAX (702) 486-2660 OFFICE OF THE LABOR COMMISSIONER PHONE: (775) 684-1890

 $\underline{\text{http://employnv.gov/vosnet/gsipub/documentview.aspx?enc} = + \underline{X} \text{n98+WQY9h4nikSv1SOaq} = = \underline{X} \text{n98+WQY9h4nikSv1SOaq} = \underline{X} \text{n98+WQY9h4nikSoaq} = \underline{X} \text{n$ **Rapid Response** - https://detr.nv.gov/Page/Employment_Security_Division_Rapid_Response Work Opportunity Tax Credit (WOTC) - https://detr.nv.gov/Page/Work_Opportunity_Tax_Credit FAX (775) 687-6409

Business Service

Silver State Works (SSW)

Job Order Posting - https://employnv.gov

Other Employment and Training Services Nevada Employment and Eligibility Assessment Initiative (REAnv)/Reemployment Services and Eligibility Assessment Program (RESEA) - https://www.dol.gov/agencies/eta/american-job-centers/RESEA

Foreign Labor Certification (FLC) - https://detr.nv.gov/Page/H-2B_Online_Job_Order_Form

Frade Assistance Act (TAA) - https://www.dol.gov/agencies/eta/tradeact Federal Bonding Program - https://bonds4jobs.com/ Vocational Rehabilitation

https://detr.nv.gov/Page/Rehabilitation_Division_Bureau_of_Vocational_Rehabilitation Short-term Training programs $\underline{https://www.employnv.gov/admin/gsipub/htmlarea/uploads/Short\%20Term\%20Training_NV_04142021.pdf$

Short-term Certificate programs - https://www.tmcc.edu/academics/certifications $\underline{\text{https://www.employnv.gov/vosnet/Guest.aspx?action=indguest\&guesttype=IND\&whereto=LEARNING}}$ Online Learning Resources - https://www.employnv.gov/vosnet/OnlineLearning/Resources.aspx

 $\textbf{Grow with Google} - email: \underline{growwithgoogle@detr.nv.gov}$ For additional services, resources and program details - register in **EmployNV** at:

Legislature, 81st Session (2021): Senate Bill (S.B.) 459]

 $\textbf{Nevada's Displaced Homemaker Program} - \underline{\text{https://detr.nv.gov/Page/Displaced_Homemakers_Program}}$

https://www.employnv.gov/vosnet/loginintro.aspx Pursuant to the Stevens Amendment (https://www.gao.gov/products/gao-19-282),the employment services and training programs included in this Notice are supported by the Employment and Training Administration (ETA) and Veterans' Employment and Training Service of the U.S. Department of Labor; and the Rehabilitation

Services Administration (RSA) of the U.S. Department of Labor. [Funding expenditures authorized by the Nevada

NEVADA SAFETY AND HEALTH PROTECTION ON THE JOB

The Nevada Occupational Safety and Health Act, NRS Chapter 618, provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State of Nevada. Requirements of the Act include the following:

Each employer shall furnish to each of his employees employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees; and shall comply with occupational safety and health standards adopted under the Act.

Each employee shall comply with all occupational safety and health standards, rules, regulations and orders issued under the Act that apply to his own actions and

The Nevada Occupational Safety and Health Administration (Nevada OSHA) of the Division of Industrial Relations, Department of Business and Industry, has the primary responsibility for administering the Act. Nevada OSHA enforces occupational safety and health standards, and its Safety and Health Representatives/ Industrial Hygienists conduct jobsite inspections to ensure compliance with the Act.

INSPECTION: The Act requires that a representative of the employer and a representative authorized by the employees be given an opportunity to accompany the Nevada

OSHA inspector for the purpose of aiding the inspection. Where there is no authorized employee representative, the Nevada OSHA Safety and Health Representative/Industrial Hygienist must consult with a reasonable

Employees, public or private, or their representatives have the right to file a complaint with the nearest Nevada OSHA office requesting an inspection if they believe unsafe or unhealthful conditions exist in their workplace. Nevada OSHA will hold confidential names of employees complaining.

number of employees concerning safety and health conditions in the workplace.

The Act provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act.

An employee, public or private, who believes he has been discriminated against may file a complaint within thirty (30) days of the alleged discrimination with the nearest Nevada OSHA office or with Occupational Safety and Health Administration, U.S. Department of Labor, 90 7th Street, Suite 18100, San Francisco, CA 94103.

CITATIONS:

If upon inspection Nevada OSHA believes an employer has violated the Act, a citation alleging such violations will be issued to the employer. Each citation wil specify a time period within which the alleged violation must be corrected.

The Nevada OSHA citation must be prominently displayed at or near the place of alleged violation for three days, or until it is corrected, whichever is later, to warn employees of dangers that may exist there.

PROPOSED PENALTY:

The Act provides for mandatory penalties against employers of up to \$15,625

TWO ways to verify poster compliance!

for each serious violation and for optional penalties of up to \$15,625 for each nonserious violation. Penalties of up to \$15,625 per day may be proposed for failure to correct violations within the proposed time period. Also, any employer who willfully or repeatedly violates the Act may be assessed penalties of up to \$156,259 for each such violation.

Criminal penalties are also provided for in the Act. Any willful violation resulting in death of an employee, upon conviction, is punishable by a fine of not more than \$50,000 or by imprisonment for not more than six months, or by both. Conviction of any employer after a first conviction doubles these maximum penalties. Penalties may be proposed for public employers.

illnesses arising out of employment.

VOLUNTARY ACTIVITY: While providing penalties for violations, the Act also encourages efforts by labor and management, before a Nevada OSHA inspection, to reduce injuries and

The Nevada Occupational Safety and Health Administration of the Division of Industrial Relations, Department of Business and Industry, encourages employers and employees to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries.

Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury, or illness to employees and supervisors.

Further information and assistance will be provided by Nevada OSHA to employees

and employers upon request

MORE INFORMATION: Additional information and copies of the Act, specific Nevada OSHA safety and health standards, and other applicable regulations may be obtained by calling or writing the nearest Nevada OSHA district office in the following locations:

Southern Nevada

3360 W. Sahara Avenue, Suite 200 Las Vegas, Nevada 89102 Telephone: (702) 486-9020 Fax: (702) 486-8714

Northern Nevada 4600 Kietzke Lane, Suite F-153

Reno, Nevada 89502 Telephone: (775) 688-3700 Fax: (775) 688-1378

Persons wishing to register a complaint alleging inadequacy in the administration of the Nevada Occupational Safety and Health Plan may do so at the following address:

OSHA, U.S. Department of Labor 90 7th Street Suite 18100 San Francisco, CA 94103

Telephone: (415) 625-2547

EMPLOYERS: This poster must be displayed prominently in the workplace.

REV. 01/2023

QR CODE Scan with phone camera: Go to: JJKeller.com/LLPverify Enter this code: **69442-072023**

JUL2023

JJKeller.com/laborlaw 800-327-6868

To update your labor law posters contact

J. J. Keller & Associates, Inc.