J. J. Keller & Associates, Inc.®
Since 1953

NEVADA
Employment Laws

POSTER COMPLIANCE DATE 10/2020

Minimum Wage

STEVE SISOLAK
Governor
TERRY REYNOLDS
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

STATE OF NEVADA
MINIMUM WAGE
2020 ANNUAL BULLETIN

POSTED APRIL 1, 2020

PURSUANT TO ARTICLE 15, SECTION 16(A) OF THE CONSTITUTION OF THE STATE OF NEVADA AND ASSEMBLY BILL (AB) 456, 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, 2020 AND WILL INCREASE AS SET FORTH BELOW UNTIL JULY 1, 2024

FOR EMPLOYEES TO WHOM QUALIFYING HEALTH BENEFITS HAVE BEEN OFFERED/MADE AVAILABLE: *PLEASE ALSO SEE SENATE BILL (SB) 391* THE EMPLOYER THE LOWER TIER RATE MAY BE PAID.
FOR ALL OTHER EMPLOYEES, EMPLOYERS MUST PAY THE HIGHER TIER RATE AS SET FORTH BELOW:

Effective date	Lower Tier	Higher Tier
July 1, 2020	$8.00	$9.00
July 1, 2021	$8.75	$9.75
July 1, 2022	$9.50	$10.50
July 1, 2023	$10.25	$11.25
July 1, 2024	$11.00	$12.00

Assembly Bill 456 https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6870/Text
Senate Bill 183 https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6334/Text
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.**

NOTICE: This state has its own minimum wage law. Employers are 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 employee, 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.

Overtime

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

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

STATE OF NEVADA
DAILY OVERTIME
2020 ANNUAL BULLETIN

POSTED APRIL 1, 2020

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.

Reno Tel:
☐ Office of the Labor Commissioner
1818 E. College Parkway, Suite 102
Carson City, Nevada 89706
Telephone: (775) 684-1890
Facsimile: (775) 687-6409
☐ Office of the Labor Commissioner
3300 West Sahara Avenue, Suite 225
Las Vegas, Nevada 89102
Telephone: (702) 486-2650
Facsimile: (702) 486-2660

THE FOLLOWING AMOUNTS ARE THE WAGE RATES BELOW FOR WHICH DAILY OVERTIME MAY BE APPLICABLE. THESE RATES ARE EFFECTIVE AS OF JULY 1, 2020.
EMPLOYEES WHO EARN LESS THAN $12.00 PER HOUR (OFFERED QUALIFIED HEALTH BENEFITS) OR LESS THAN $13.50 PER HOUR (NOT OFFERED QUALIFIED HEALTH BENEFITS) ARE ELIGIBLE FOR OVERTIME AT ONE AND A HALF TIMES THE EMPLOYER'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.

EMPLOYERS THAT MAKE MORE THAN THE HOURLY RATES ABOVE ARE ELIGIBLE FOR OVERTIME AT ONE AND A HALF TIMES THE EMPLOYER'S REGULAR RATE OF PAY FOR EACH HOUR WORKED IN A WORK WEEK. THE EMPLOYER MUST VERIFY THE RATES ABOVE $12.00 PER HOUR AND $13.50 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 at:
1818 East College Parkway, Suite 102
Carson City, Nevada 89706
(775) 684-1890
or
3300 West Sahara Avenue, Suite 225
Las Vegas, Nevada 89102
(702) 486-2650

Domestic Violence

STEVE SISOLAK
Governor
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 E. College Parkway, Suite 102
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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

1. An employee who has been employed by an employer for at 90 days and who is a victim of an act which constitutes domestic 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 period. 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 violence occurred;

(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 1993, 29 U.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 1993, 29 U.S.C. §§ 2601 et. Seq.

2. 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 or treatment of a health condition related to an act which constitutes domestic violence committed 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 actions to increase the safety of the employee or the 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 employee shall give not less than 48 hours advance notice to his or her employer of the need to use additional hours of 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 leaver; 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 seq.

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 NRS 608.013.

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;

(3) Minor child; or

(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 domestic violence.

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.

OLC 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

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."

1. Discharge of employee: Whenever an employee discharges an employee, the wages and compensation earned and unpaid at the time of such discharge shall become due and payable immediately.
2. 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 not later than the day on which he would have regularly been paid or 7 days after he resigns or quits, whichever is earlier.
3. An employer shall not employ an employee for a continuous period of 6 hours without permitting the employee to have an uninterrupted meal period of at least one-half hour.
4. 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 each 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.
5. Effective July 1, 2020, each employer shall pay a wage to each employee of not less than $8.00 per hour worked if the employer offers qualified health benefits, or $9.00 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.
6. 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. (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 employer's regular wage rate whenever an employee whose wage rate is 1 1/2 times or more the minimum wage works more than 40 hours in any scheduled week of work.

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 ½ 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; (n) A mechanic or workman for any hours to which the provisions of subsection 3 or 4 of NRS 338.020 apply. (O) 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.

7. If mutually agreed upon by an employer and an employee 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 608.019).
8. 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.
9. Wages must be paid semimonthly or more often.
10. 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 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 notice in a manner that is calculated to provide actual notice of the change to such each employee.
11. It is unlawful for any person to take all or part of any tips or gratuities bestowed upon his employees. Nothing contained in this section shall be construed to prevent such employees from entering into an agreement to divide such tips or gratuities among themselves.
12. 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 and the employee.

13. All uniforms or accessories distinctive to its 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 employer's employer shall clean such uniform or accessory without cost to such employee.
14. 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 cannot report for work.
15. 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 Senate Bill 312 passed during the 2019 Legislative Session 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 year. 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. (See Senate Bill 312 for full requirements and exceptions)

For additional information please contact the Nevada State Labor Commissioner: Carson City 775-684-1890 or Las Vegas 702-486-2650 TDD / FREE 1-800-992-0900 Ext. 4850 www.labor.nv.gov

"Summary of NRS and NAC Provisions and should not be considered legal advice

REV. 06/30/2020

Nursing Mothers

STEVE SISOLAK
Governor
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

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STATE OF NEVADA NURSING MOTHER'S ACCOMMODATION ACT

Effective July 1, 2017, as set forth in Assembly Bill 113 approved during the 2017 Legislative Session, Revised Statutes (NRS) section 608 governing *Private Employers* is hereby amended with a new section as follows:

https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB113_EN.pdf

Requirements of Assembly Bill 113:

1. Except as otherwise provided in subsections 3, 5 and 6 (see below), each employer shall provide an employee who is the mother of a child under 1 year of age with:

(a) Reasonable break time, with or without compensation, for the employee to express breast milk as needed; and

(b) A place, other than a bathroom, that is reasonably free from dirt or pollution, which is protected from the view of others and free from intrusion by others where the employee may express breast milk.

2. If break time is required to be compensated pursuant to a collective bargaining agreement entered into by an employer and an employee organization, any break time taken pursuant to subsection 1 by an employee who is covered by the collective bargaining agreement must be compensated.

4. An employer shall not retaliate, or direct or encourage another person to retaliate, against any employee because that employee has:

(a) Taken break time or used the space provided pursuant to subsection 1 or 3 to express breast milk; or

(b) Taken any action to require the employer to comply with the requirements of this section, including, without limitation, filing a complaint, testifying, assisting or participating in any manner in an investigation, proceeding or hearing to enforce the provisions of this section.

Exceptions (set forth in subsections 3, 5, and 6 of Assembly Bill 113):

3. If an employer determines that complying with the provisions of subsection 1 will cause an undue hardship considering the size, financial resources, nature and structure of the business of the employer, the employer may meet with the employee to agree upon a reasonable alternative. If the parties are not able to reach an agreement, the employer may require the employee to accept a reasonable alternative selected by the employer.

5. An employer who employs fewer than 50 employees is not subject to the requirements of this section if these requirements would impose an undue hardship on the employer, considering the size, financial resources, nature and structure of the business of the employer.

6. An employer who is a contractor licensed pursuant to chapter 624 of NRS is not subject to the requirements of this section with regard to an employee who is performing work at a construction jobsite that is located at least 3 miles from the regular place of business of the employer.

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.

Copies of this notice may also be obtained from the Office of the Labor Commissioner at:

1818 College Parkway, Suite 102 — **3300 W. W Sahara Avenue, Suite 225**
Carson City, Nevada 89706 — **Las Vegas, Nevada 89102**
(775) 684-1890 or **(702) 486-2650**

Or by going to our website at http://labor.nv.gov

Payday

Nevada Statute NRS 608.080
Payday Notice

Nevada Statute NRS 608.080 requires employers to post and maintain posted notices setting forth the regular paydays and the place of payment.

For employees of: _____
(Company Name)

Regular payday shall be as follows: _____

Place of payment: _____

Discrimination

Nevada Equal Rights Commission
Nevada Law Prohibits Discrimination

- Employers may not discriminate based on race, color, national origin, age (40+), sex (including pregnancy), religion, disability, sexual orientation, genetic information, or gender identity or expression.
- Housing discrimination is prohibited based on race, color, national origin, sex, religion, disability, ancestry, familial status, sexual orientation, or gender identity or expression.
- Businesses offering services to the public may not discriminate based on race, color, national origin, sex, religion, or disability, sexual orientation, or gender identity or expression.

Persons who believe they have been discriminated against in employment, public accommodation or housing, may file a complaint with the Nevada Equal Rights Commission.

NERC
Nevada Equal Rights Commission
a division of the Nevada Department of Employment, Training and Rehabilitation
1820 East Sahara Avenue, Suite 314 — **1325 Corporate Blvd., Room 115**
Las Vegas, NV 89104 — **Reno, NV 89502**
(702) 486-7161 — **(775) 823-6690**
An equal opportunity employer/program
Auxiliary aids and services are available upon request for individuals with disabilities.
Relay 711 or 800.326.6868
www.nvdetr.org

REV. 12/2014

Emergency

OSHA Enforcement, Division of Industrial Relations

EMERGENCY PHONE NUMBERS FOR

_____
(Please Give **Exact Address** of This Worksite Location)

Physician: _____

Hospital: _____

Ambulance: 911 or _____

Fire Department: 911 or _____

Police: 911 or _____

PLEASE POST IN A CONSPICUOUS LOCATION, IN ACCORDANCE WITH THE NEVADA OCCUPATIONAL SAFETY AND HEALTH ACT
(Nevada Revised Statutes 618.289, 29 CFR 1926.50)
Nevada OSHA Enforcement
Division of Industrial Relations
Nevada Department of Business and Industry

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:

EMPLOYERS:
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.

EMPLOYEES:
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 conduct on the job.

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

COMPLAINT:
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.

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 will 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 $13,494 for each serious violation and for optional penalties of up to $13,494 for each nonserious violation. Penalties of up to $13,494 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 $134,937 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.

VOLUNTARY ACTIVITIES:
While providing penalties for violations, the Act also encourages efforts by labor and management, before a Nevada OSHA inspection, to reduce injuries and illnesses arising out of employment.

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

NOTE:
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. 01/2020

Unemployment Ins.

EMPLOYER: THIS NOTICE IS TO BE POSTED AT EACH WORK PLACE (NRS 612.455)

State of Nevada
Department of Employment, Training & Rehabilitation
EMPLOYMENT SECURITY DIVISION
NOTICE TO EMPLOYEES

The employees of this establishment are protected by Unemployment Insurance. This employer is required by law to contribute to the Nevada Unemployment Compensation Fund. No part of the contribution is deducted from the wages of employees.

If you are separated from your job or if your hours have been substantially reduced, immediately:

1. Go to unemployment insurance claim online or by calling the nearest Nevada Telephone Claim Center, as shown below, for full or partial unemployment benefits.
2. Request employment and claims from the nearest Nevada JobConnect Career Center or find employment information online at www.NevadaJobConnect.com. If you are disabled and require assistance, contact the Nevada JobConnect Career Center prior to your visit to arrange special accommodations.
4. Giving misinformation or withholding information about the reason for separation from your job.
5. Failure to properly report wages.

To file a claim for unemployment benefits call the Telephone Claim Center:
In Southern Nevada call (702) 486-0350
In Northern Nevada call (775) 684-0350
In Rural Nevada call toll-free (888) 890-8211
OR File online at http://ui.nv.gov/
To report suspected fraud, go to: https://safroad.nvdetr.org OR call (775) 684-0475

To be eligible for unemployment benefits an unemployed person must:

1. Be unemployed through no fault of your own and meet all other conditions of the law regarding unemployment benefits;
2. File a claim online or with the Nevada Telephone Claim Center.
3. Be physically able to work.
4. Be available and willing to accept suitable employment if offered.
5. Make a reasonable and sincere effort to find a job.

Reasons an unemployed person may not be eligible for unemployment benefits are:

1. Separation from employment due to quitting without good cause.
2. Being discharged for misconduct in connection with your work.
3. Refusal of an offer of suitable work without good cause.

DETR
Nevada Department of Employment, Training and Rehabilitation

- *An equal opportunity employers/program*
- *Auxiliary aids and services available upon request for individuals with disabilities*
- *Relay Nevada 711 or (800) 326-6868 (TTY)*

NUCS-4324

Nevada JobConnect

REV. 04/2014

Lie Detector Tests

State of Nevada, Office of the Labor Commissioner

Notice of Limitations Affecting the Application of Lie Detector Tests

NRS 613.460(2) requires that each employer shall post and maintain this notice in a conspicuous location at the place of employment where notices to employees and applicants for employment are customarily posted and read.

Pursuant to NRS 613.440(2), Lie detector means polygraph, voice stress analyzers, psychological stress evaluator or any other similar device, whether mechanical or electrical, which are designed to determine the truthfulness or veracity of an individual.

NRS 613.480(1) prohibits employers or anyone acting in the employer's behalf from requiring or requesting that an employee or prospective employee take or submit to any lie detector test except as provided in NRS 613.510.

NRS 613.510 contains several exceptions which permit an employer to request polygraph examinations. An employer may request that an employee or prospective employee take a polygraph examination administered by a qualified person as part of an investigation of theft or similar wrongdoing affecting the employer's business which appears to involve the employee.

The employer may also request a polygraph examination administered by a qualified person with regard to prospective employees who would be employed to protect certain kinds of sensitive or valuable property or facilities. The use of a polygraph examination is also permitted to employers in businesses that handle controlled substances.

Such permission exists only in situations where job applicants or employees have direct access to the controlled substances or where suspected abuse or theft is involved.

NRS 613.480(3&4) prohibit an employer from taking adverse action against any employee or prospective employee based on the results of any lie detector test or refusal to take any lie detector test.

Employers who violate the provisions in NRS 613.440 to 613.510 are subject to civil liability in court, as well as fines imposed by the Nevada Labor Commissioner.

For additional information contact our offices at 702-486-2650 in Las Vegas or 775-684-1890 in Carson City or via Email at mail@labor.nv.gov

OLC

Paid Leave

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

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.

D. An employer may set a minimum increment of paid leave, not to exceed 4 hours that an employee may use at any one time.

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.

E. An employer 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 employment.
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 employer 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 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 or scheduled employees at a rate of at least 0.01923 hours of paid leave per hour of work performed; and (b) Temporary, seasonal or on-call employees.

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 702-486-2650
Toll Free: 1-800-992-0900 Ext. 4850 Internet: www.labor.nv.gov

REV. 6/11/2019

Sick/Injured

Office of the Labor Commissioner

Notice to Employer that Employee is Sick or Sustained Injury
Nevada Revised Statutes (NRS) 6 613

Effective May 15, 2019, as set forth in Assembly Bill (AB) 181 approved during the 2019 Legislative Session, Nevada Revised Statutes (NRS) section 613 is hereby amended with a new section as follows:

1. 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 cannot report for work.

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 AB 181: https://www.leg.state.nv.us/Session/80th2019/Bills/AB/AB181_EN.pdf

"This document is for posting and information purposes and should not be considered legal advice. Please refer to AB 181 and NRS section 613.

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0 Internet: www.labor.nv.gov

REV. 6/11/2019

Domestic Workers

DOMESTIC WORKER'S BILL OF RIGHTS AND APPLICABLE STATE AND FEDERAL LAWS

NRS 608.009 "Domestic service employee" defined

"Domestic service employee" means an employee who performs any household service in or about a private residence or any other location at which a person resides. The term includes, without limitation:

1. Caregivers and other persons who are employed at a residential facility for groups, as defined in NRS 449.017; and
2. Companions, babysitters, cooks, waiters, valets, housekeepers, nannies, nurses, janitors, persons employed to launder clothes and linens, caretakers, persons who perform minor repairs, gardeners, pool cleaners, home health aides, personal care aides and chauffeurs of automobiles for family use.

NRS 608.018 Compensation for overtime; Requirement; exceptions

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 rate prescribed pursuant to the Constitution of the State of Nevada: (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 employer's regular wage rate whenever an employee whose wage rate is 1 1/2 times or more than the minimum rate prescribed pursuant to the Constitution, works more than 40 hours in any scheduled week of work.

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 1½ 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 ot