OCCUPATIONAL SAFETY AND HEALTH PROTECTION

## **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.

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.

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

### **CITATIONS:**

18100, San Francisco, CA 94103.

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.

### (Rev. 1-25)

### **PROPOSED PENALTY:**

The Act provides for mandatory penalties against employers of up to \$16,550 for each serious violation and for optional penalties of up to \$16,550 for each nonserious violation. Penalties of up to \$16,550 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 \$165,514 for each such violation.

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OF PAY FOR OVER 40 HOURS OF WORK IN A WORK WEEK

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.

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

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) 486-8715 **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.

### **PAYDAY NOTICE**

### ATTENTION EMPLOYEES PAY DAY NOTICE

 The regular pay days for employees of: \_\_ • Pay checks will be distributed at: If you have any questions regarding your paycheck please contact: \_\_\_ (Contact Name & Phone Number)

Title 53, Chapter 608, NRS 608.080 Please Post in a Conspicuous Area

**State of Nevada DEPARTMENT OF BUSINESS & INDUSTRY DIVISION OF INDUSTRIAL RELATIONS Workers' Compensation Section** 

**WORKERS' COMPENSATION** 

# ATTENTION

Caution: The information below is general in nature and is not intended to be legal advice. If you have any questions regarding your status as an employer or employee or your rights and qualification for specific benefits under an industrial injury or occupational disease claim, you should consult with an attorney experienced in industrial insurance.

### Brief Description of Whether the Employer is Required to Obtain **Industrial Insurance and Whether a Person is a Covered Employee**

Every employer ... shall provide and secure compensation ... for any personal injuries by accident sustained by an employee arising out of and in the course of the employment. See NRS 616B.612(1).

An employer is defined as, "Every person, firm, voluntary association and private corporation, including any public service corporation, which has in service any person under a contract of hire." See NRS 616A.230(2). "A person is not an employer .... if: (a) The person enters into a contract with another person or business which is an independent enterprise; and (b) The person is not in the same trade, business, profession or occupation as the independent enterprise." See NRS 616B.603(1). An employee is broadly defined as, "... every person in the service of an employer under any appointment or contract of hire or apprenticeship, express or implied, oral or

written, whether lawfully or unlawfully employed" (See NRS 616A.105), but excludes casual employees not in the same trade, business, profession or occupation; persons engaged as a theatrical or stage performer or in an exhibition; musicians not lasting more than 2 consecutive days; household servants, farming and ranching employees; voluntary ski patrol; sports officials paid a nominal fee; clergy, rabbi or lay readers; real estate brokers or sales persons; and commissioned sales persons (See NRS 616A.110). An independent contractor is a person who is hired and paid solely to produce a result. It is defined as, "... any person who renders service for a specified recompense for a specified result, under the control of the person's principal as to the result of the person's work only and not as to the means by which such result is accomplished." See NRS 616A.255.

## Brief Description of Your Rights and Benefits If You Are Injured on the Job or have an Occupational Disease

Notice of Injury or Occupational Disease (Incident Report Form C-1) If an injury or occupational disease (OD) arises out of and in the course of employment, you must provide written notice to your employer as soon as practicable, but no later than 7 days after the accident or OD. Your employer shall maintain a sufficient supply of the forms. Employee's Claim for Compensation/Report of Initial Treatment (Form C-4): If medical treatment is sought, the Form C-4 is available at the place of initial treatment. A completed Form C-4 must be filed within 90 days after an accident or OD. The treating physician, chiropractic physician, physician assistant or advanced practice nurse must, within 3 working days after treatment, complete and mail to the employer, the employer's insurer and third-party administrator, the Claim for Compensation.

Medical Treatment: If you require medical treatment for your on-the-job injury or OD, you may be required to select a physician or chiropractic physician from a list provided by your workers' compensation insurer, if it has contracted with an Organization for Managed Care (MCO) or Preferred Provider Organization (PPO) or providers of health care. If your employer has not entered a contract with an MCO or PPO, you may select a physician or chiropractic physician from the Panel of Physicians and Chiropractic Physicians. Any medical costs related to your industrial injury or OD will be paid by your insurer.

Temporary Total Disability (TTD): If your doctor has certified that you are unable to work for a period of at least 5 consecutive days, or 5 cumulative days in a 20-day period or places restrictions on you that your employer does not accommodate, you may be entitled to TTD compensation.

Temporary Partial Disability (TPD): If the wage you receive upon reemployment is less than the compensation for TTD to which you are entitled, the insurer may be required to pay you TPD compensation to make up the difference. TPD can only be paid for a maximum of 24 months.

Permanent Partial Disability (PPD): When your medical condition is stable and there is an indication of a PPD as a result of your injury or OD, within 30 days, your insurer must arrange for an evaluation by a rating physician or chiropractic physician to determine the degree of your PPD. The amount of your PPD award depends on the date of injury, the results of the PPD evaluation, your age and wage.

Permanent Total Disability (PTD): If you are medically certified by a treating physician or chiropractic physician as permanently and totally disabled and have been granted

a PTD status by your insurer, you are entitled to receive monthly benefits not to exceed 66 2/3% of your average monthly wage. The amount of your PTD payments is subject to reduction if you previously received a lump-sum PPD award.

Vocational Rehabilitation Services: You may be eligible for vocational rehabilitation services if you are unable to return to the job due to a permanent physical impairment or permanent restrictions as a result of your injury or occupational disease.

Transportation and Per Diem Reimbursement: You may be eligible for travel expenses and per diem associated with medical treatment.

**Reopening:** You may be able to reopen your claim if your condition worsens after claim closure.

Appeal Process: If you disagree with a written determination issued by the insurer or the insurer does not respond to your request, you may appeal to the Department of Administration, Hearing Officer, by following the instructions contained in your determination letter. You must appeal the determination within 70 days from the date of the determination letter at 1050 E. William Street, Suite 400, Carson City, Nevada 89701, or 2200 S. Rancho Drive, Suite 210, Las Vegas, Nevada 89102. If you disagree with the Hearing Officer decision, you may appeal to the **Department of Administration**, **Appeals Officer**. You must file your appeal within 30 days from the date of the Hearing Officer decision letter at 1050 E. William Street, Suite 450, Carson City, Nevada 89701, or 2200 S. Rancho Drive, Suite 220, Las Vegas, Nevada 89102. If you disagree with a decision of an Appeals Officer, you may file a petition for judicial review with the District Court. You must do so within 30 days of the Appeals Officer's decision. You may be represented by an attorney at your own expense, or you may contact the NAIW for possible representation.

Nevada Attorney for Injured Workers (NAIW): If you disagree with a Hearing Officer decision, you may request that NAIW represent you without charge at an Appeals Officer hearing. NAIW is an independent state agency and is not affiliated with any insurer. For information regarding denial of benefits, you may contact the NAIW at: 1000 E. William Street, Suite 208, Carson City, NV 89701, (775) 684-7555, or 2200 S. Rancho Drive, Suite 230, Las Vegas, NV 89102, (702) 486-2830.

To File a Complaint with the Division: If you wish to file a complaint with the Administrator of the Division of Industrial Relations (DIR), please contact Workers' Compensation Section, 1886 East College Pkwy. Ste. 100, Carson City, NV 89706, telephone (775) 684-7270, or 2300 W. Sahara Ave, Suite 300, Las Vegas, NV 89102, telephone (702) 486-9080.

Toll Free 1-888-333-1597, Website: https://adsd.nv.gov/Programs/CHA/Office for Consumer Health Assistance (OCHA)/, E-mail: cha@govcha.nv.gov

For Assistance with Workers' Compensation Issues: You may contact the State of Nevada Office for Consumer Health Assistance, 7150 Pollock Drive, Las Vegas, NV 89119,

The information in this publication is derived from Chapters 616A through 616D, inclusive, and 617 of the Nevada Revised Statutes and is provided for informational purposes only.

If you have any questions, regarding your injury or workers' compensation claim, please call the following:

EFFECTIVE January 1, 2024 Pursuant to Assembly Bill 163 from the 82nd Legislative Session of the Nevada Legislature, NRS 608.0198 is hereby amended to include victims of sexual assault the

Insurer/Administrator: Contact Person: Address: Telephone Number: Zip MCO/Health Care Provider: **Contact Person:** Address: Telephone Number: State Zip

### MINIMUM WAGE BULLETIN

STATE OF NEVADA - Department of Business & Industry - OFFICE OF THE LABOR COMMISSIONER STATE OF NEVADA MINIMUM WAGE 2024 ANNUAL BULLETIN

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

PURSUANT TO ARTICLE 15, SECTION 16(A) OF THE CONSTITUTION OF THE STATE OF NEVADA AND ASSEMBLY BILL (AB) 456 PASSED IN 2019 DURING THE 80TH REGULAR SESSION OF THE NEVADA LEGISLATURE. THE ABOVE MINIMUM WAGE RATE SHALL APPLY TO ALL EMPLOYEES IN THE STATE OF NEVADA UNLESS OTHERWISE EXEMPTED. THIS RATE IS EFFECTIVE AS OF JULY 1, 2024, AND APPLIES TO ALL EMPLOYEES REGARDLESS OF OFFERED EMPLOYER HEALTH BENEFITS. 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

Carson City:
1818 COLLEGE PARKWAY, SUITE 102, CARSON CITY, NV 89706
TELEPHONE: (775) 684-1890 FACSIMILE: (775) 687-6409 **Las Vegas:** 3340 WEST SAHARA AVENUE, LAS VEGAS, NV 89102

www.labor.nv.gov mail1@labor.nv.gov JOE LOMBARDO, GOVERNOR • DR. KRISTOPHER SANCHEZ, DIRECTOR • BRETT HARRIS, LABOR COMMISSIONER

#### DAILY OVERTIME BULLETIN STATE OF NEVADA Department of Business & Industry - OFFICE OF THE LABOR COMMISSIONER STATE OF NEVADA DAILY OVERTIME 2024 ANNUAL BULLETIN

**POSTED APRIL 1. 2024** EMPLOYERS MUST PAY 1.5 TIMES AN EMPLOYEE'S REGULAR WAGE RATE WHENEVER AN EMPLOYEE WHO IS PAID LESS THAN 1.5 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. NEVADA BALLOT QUESTION 2 PASSED NOVEMBER 2022 ELIMINATES TWO-TIER MINIMUM WAGE AS OF JULY 1, 2024

## EFFECTIVE JULY 1, 2024, EMPLOYEES WHO EARN LESS THAN \$18.00 PER HOUR ARE ELIGIBLE FOR OVERTIME AT ONE AND A HALF

(1.5) 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 RATE ABOVE ARE ELIGIBLE FOR OVERTIME AT 1.5 TIMES THE EMPLOYEE'S REGULAR RATE

Copies may be obtained at <u>www.labor.nv.gov</u> or from the Labor Commissioner's Offices listed above. **Carson City: Las Vegas:** 3340 WEST SAHARA AVENUE, LAS VEGAS, NV 89102 1818 COLLEGE PARKWAY, SUITE 102, CARSON CITY, NV 89706 FELEPHONE: (775) 684-1890 FACSIMILE: (775) 687-6409 TELEPHONE: (702) 486-2650 FACSIMILE: (702) 486-2660

www.labor.nv.gov mail1@labor.nv.gov

JOE LOMBARDO, GOVERNOR • DR. KRISTOPHER SANCHEZ, DIRECTOR • BRETT HARRIS, LABOR COMMISSIONER

#### DISCRIMINATION NEVADA EQUAL RIGHTS COMMISSION · NEVADA LAW PROHIBITS DISCRIMINATION

Employers may not discriminate based on race, color, national origin, . Businesses offering services to the public may not discriminate age (40+), sex (including pregnancy), religion, disability, sexual orientation, genetic information, or gender identity or expression. based on race, color, national origin, sex, religion, disability, sexua orientation or gender identity or expression. Housing discrimination is prohibited based on race, color, national Persons who believe they have been discriminated against in origin, sex, religion, disability, ancestry, familial status, sexual employment, public accommodation or housing, may file a complaint with the Nevada Equal Rights Commission orientation, or gender identity or expression.

Relay 711 or 800.326.6868 1820 East Sahara Avenue, Suite 314, Las Vegas, NV 89104 775.823.6690 1325 Corporate Blvd., Room 115, Reno, NV 89502 www.nvdetr.org An equal opportunity employer/program

## PREGNANT WORKER'S FAIRNESS ACT

**NEVADA PREGNANT WORKERS' FAIRNESS ACT** Pursuant to NRS 613.335 and sections 2 to 8, inclusive, of the • Deny an employment opportunity to a qualified female Nevada Pregnant Workers' Fairness Act (effective October 1 2017) employees have the right to be free from discriminatory unlawful employment practices based on pregnancy, hildbirth, or a related medical condition. INDER THE ACT, IT IS UNLAWFUL FOR EMPLOYERS TO: Deny a reasonable accommodation to female employees and applicants, upon request, for a condition related to egnancy, childbirth, or a related medical condition, unless

Require a female employee or applicant to accept an accommodation that the employee or applicant did not request or chooses not to accept or to take leave from employment if an accommodation is available **UNDER THE ACT, AN EMPLOYER MAY:** an accommodation would impose an undue hardship on the business of the employer.

certification from the employee's physician substantiating the need for an accommodation because of pregnancy Take adverse employment actions against a female childbirth, or related medical conditions, and the specific employee because the employee requests or uses a accommodation recommended by the physician. FOR FURTHER INFORMATION REGARDING THE ACT, CONTACT THE NEVADA EQUAL RIGHTS COMMISSION

1820 EAST SAHARA AVENUE SUITE 314 LAS VEGAS, NV 89104 1325 CORPORATE BLVD. ROOM 115 RENO, NV 89502 PHONE (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

# (NRS 612.455) State of Nevada Department of Employment, Training & Rehabilitation EMPLOYMENT SECURITY DIVISION

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. f you are separated from your job or if your hours have been substantially reduced, immediately: · File an unemployment insurance claim online or by calling the

nearest Nevada Telephone Claim Center, as shown below, for full or partial unemployment benefits. Request employment services 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

To report suspected fraud, go to: arrange special accommodations. <u>To be eligible for unemployment benefits an unemployed person</u> . 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.

. Be physically able to work.

Reasons an unemployed person may not be eligible fo unemployment benefits are: Separation from employment due to quitting without good cause Being discharged for misconduct in connection with your work. . Refusal of an offer of suitable work without good cause. 4. Giving misinformation or withholding information about the reason for separation from your job. 5. Failure to properly report wages

(888) 890-8211 • OR File online at http://ui.nv.gov/ https://uifraud.nvdetr.org OR call (775) 684-0475

· An equal opportunity employer/program

#### · Auxiliary aids and sérvices available upon request for individuals with disabilities Relay Nevada 711 or (800) 326-6868 (TTY) **EMERGENCY PHONE NUMBERS**

(Please Give Exact Address of This Worksite Location)

PLEASE POST IN A CONSPICUOUS LOCATION, IN ACCORDANCE WITH THE NEVADA OCCUPATIONAL SAFETY AND HEALTH ACT. (Nevada Revised

Ambulances: 911 or\_\_\_\_

### **RULES TO BE OBSERVED BY EMPLOYERS** STATE OF NEVADA

### DEPARTMENT OF BUSINESS AND INDUSTRY OFFICE OF THE LABOR COMMISSIONER 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 1/16/2025 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

1. Discharge of employee: Whenever an employer discharges an employee, the wages and compensation earned and unpaid at the time of such discharge shall become due and 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 no 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 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, 2024, each employer shall pay a wage to each employee of not less than \$12.00 per hour worked. Pursuant to Article 15, Section 16(a) of the Constitution of the

State of Nevada, and Assembly Bill (AB) 456 passed in 2019 during the 80th regular session of the Nevada Legislature, the above minimum wage rate shall apply to all employees in the State of Nevada unless otherwise exempted. This rate applies to all employees regardless of offered employer health benefits. Tips or gratuities received by employees shall

not be credited as being any part of or offset against the minimum wage rates. For Annual Minimum Wage notice, see https://labor.nv.gov/Employer/Employer\_Posters/. 5. 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 nours 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. 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) mployees 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 itomobiles, 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. (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. 6. 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. 7. 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. 8. Wages must be paid semimonthly or more often 9. 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 each such employee. 10. 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. 11. 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 employer 12. 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 cost to such employee 3. 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.

4. 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 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 NRS section 608.0197 and Senate Bill 312 (2019) for full 15. In addition to the leave provided in NRS section 608.0197 an employer shall provide 2 to 4 hours of paid leave to obtain a vaccination for COVID-19. Please see Senate bill 209 - 2021 Legislative Session for the full provisions. <a href="https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7670/Text#">https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7670/Text#</a> 5. 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 condition. (2) Receiving a medical diagnosis or medical care. (3) Receiving or participating in preventative care. (4) Participating in caregiving; or (5) Addressing other personal needs related to the health of the employee. (See Senate Bill 209 – 2021 Legislative Session) . NRS 608.0198: Employee entitled to leave related to domestic violence or sexual assault; uses of leave; prohibited acts; required documentation; Labor Commissioner to prepare bulletin; posting; maintenance of records; other rights, remedies and agreements unimpaired. 1. An employee who has been employed by an employer for at least 90 days and who is a victim of an act which constitutes domestic violence or sexual assault, or whose family

or household member is a victim of an act which constitutes domestic violence or sexual assault, 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 or sexual assault 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.

(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 or sexual assault committed against the employee or family or household member of the employee (2) To obtain counseling or assistance related to an act which constitutes domestic violence or sexual assault committed against the employee or family or household member

(3) To participate in any court proceedings related to an act which constitutes domestic violence or sexual assault committed against the employee or family or household member of the employee; or (4) To establish a safety plan, including, without limitation, any action to increase the safety of the employee or the family or household member of the employee from a future (b) After taking any hours of leave upon the occurrence of the act which constitutes domestic violence or sexual assault, 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). (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 an 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 sexual assault 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 or sexual assault. (c) "Sexual assault" has the meaning ascribed to it in NRS 200.366. (Added to NRS by 2017, 3176; A 2023, 1230)

An employer in private employment shall post the required bulletins and notices available at: https://labor.nv.gov/Employer/Employer\_Posters/ 1. 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 onditions. This bill requires that certain employees have an opportunity to return to their jobs when circumstances permit. See this link regarding preliminary guidance on this bill. Senate Bill 386 Preliminary Guidance (nv.gov).

2. Senate Bill 293 prohibits an employer or employment agency from seeking or relying on the wage or salary history of an applicant for employment; prohibits an employer or employment agency from refusing to interview, hire, promote or employ an applicant or from discriminating or retaliating against an applicant if the applicant does not provide wage or salary history. **SB293 Overview (state.nv.us)** For additional information please visit: **WWW.LABOR.NV.GOV** 

> Carson City: 1818 E. College Parkway, Suite 102, Carson City, Nevada 89706 - Telephone (775) 684-1890 - Fax (775) 687-6409 Las Vegas: 3340 W. Sahara Avenue, Las Vegas, Nevada 89102 - Telephone (702) 486-2650 - Fax (702) 486-2660 www.labor.nv.gov mail1@labor.nv.gov

## LIE DETECTOR TEST ACT

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 honesty or dishonesty 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 mail1@laborcommissioner.com

## **EARNED SICK TIME**

REQUIRED POSTING – ASSEMBLY BILL 190 https://www.leg.state.nv.us/App/NELIS/ REL/81st2021/Bill/7578/Text# Effective October 1, 2021, as set forth in Assembly Bill 190 a new section is added to Chapter 608 of NRS Section 1. Chapter 608 of NRS is hereby mended by adding thereto a new section to read as follows: 1. 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 llness, injury, medical appointment or other authorized medical need to the same extent and under the same conditions that apply to the employee when taking such leave.

. An employer may limit the amount of sick leave that an employee may use pursuant to

REQUIRED POSTING – ASSEMBLY BILL 307 Effective July 1, 2022 as set forth

Statutes (NRS) section 232 is hereby amended with a new section as follows:

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

Bill/7811/Text Chapter 232 of NRS is hereby amended by adding thereto a new

programs. This Notice fulfills DETR's **October 1, 2024** required reporting:

IOE LOMBARDO, GOVERNOR • DR KRISTOPHER SANCHEZ, DIRECTOR

STATE OF NEVADA - Office of the Labor Commissioner

otice to Employer that Employee is Sick or Sustained Injury

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

**STATE OF NEVADA** Office of the Labor Commissioner

**Paid Leave** 

Effective January 1, 2020 - Nevada Revised Statutes (NRS) § 608

employment with not less than 50 employees shall provide paid leave to each

A. An employee is entitled to at least 0.01923 hours of paid leave for each hour of work

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

2. Pay such compensation on the same payday as the hours taken are normally paid.

system that the employer uses to pay its employees to provide the accounting of the

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

COMMISSIONER - www.labor.nv.gov

STATE OF NEVADA NURSING MOTHER'S ACCOMMODA

Effective July 1, 2017, as set forth in Assembly Bill 113 approved during the 2017

<u>Legislative Session, Nevada Revised Statutes (NRS) section 608 governing *Private*</u>

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:

) Reasonable break time, with or without compensation, for the employee to express

b) A place, other than a bathroom, that is reasonably free from dirt or pollution, which

. 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 which is covered by the collective

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

COMMISSIONER - www.labor.nv.gov

me employment protections as domestic violence victims. Effective January 1, 2024

1. An employee who has been employed by an employer for at least 90 days and who is a

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

(1) For the diagnosis, care o treatment of a health condition related to an act which

constitutes domestic violence or sexual assault 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 or sexual assault committed

against the employee or a family or household member of the employee; (3) To

(a) An employee may use the hours of leave only:

**DOMESTIC VIOLENCE & SEXUAL ASSAULT VICTIMS' LEAVE BULLETIN** 

is protected from the view of others and free from intrusion by others where the

provide an employee who is the mother of a child under 1 year of age with:

employee carried over to a maximum of 40 hours per benefit year.

hours of paid leave available for use by the employee.

Except as otherwise provided in Senate Bill (SB) 312, every employer in private

www.labor.nv.gov mail1@labor.nv.gov

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

Employment Services - https://employnv.gov

BRETT HARRIS, LABOR COMMISSIONE

amended with a new section as follows:

employee of the employer as follows:

employee may use at any one time.

breast milk as needed; and

NRS 608.0198 reads as follows:

mployee may express breast milk.

C. An employer shall:

**Employment and Training Programs** 

in Assembly Bill (AB) 307 passed during the 2021 Legislative Session, Nevada Revised

subsection 1 to an amount which is equal to not less than the amount of sick leave that

**STATE OF NEVADA** - Department of Business & Industry - OFFICE OF THE LABOR COMMISSIONER - www.labor.nv.gov the employee accrues during a 6-month period. 3. 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

Migrant Seasonal Farm Workers (MSFW) - https://www.employnv.gov/vosnet/gsipub/

documentview.aspx?enc=s0YLzxCf++EmSyMZiXZH1A== Eligible Training Provider List (ETPL) - https://www.employnv.gov/vosnet/guest.aspx?

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

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 JOB TRAINING AND EMPLOYMENT PROGRAMS

■ Workforce Connections (southern Nevada) - https://nvworkforceconnections.org/ section to read as follows: 1. The Department (Department of Employment, Training system-partners/eligible-training-provider-list-etpl/ and Rehabilitation; DETR) shall prepare one or more notices concerning job training or Nevada Labor Market Information - https://nevadaworkforce.com/ mployment programs conducted by the Department, including, without limitation usiness Services the Career Enhancement Program and EmployNV Business/Career Hubs and provide Job Order Posting - https://employnv.gov Foreign Labor Certification (FLC) - https://detr.nv.gov/Page/H-2B Online Job Order each such notice to the Labor Commissioner. Within 30 days following the end of each calendar quarter (October 1, January 1, April 1, and July 1), DETR will transmit to the

Labor Commissioner an updated notice on the following job training and employment Silver State Works (SSW) - http://employnv.gov/vosnet/gsipub/documentview.aspx?en =+Xn98+WQY9h4nikSv1SOag== Rapid Response - <a href="https://detr.nv.gov/Page/Employment\_Security\_Division\_Rapid">https://detr.nv.gov/Page/Employment\_Security\_Division\_Rapid</a> Career Enhancement Program (CEP) - https://detr.nv.gov/Page/Career\_Enhancement Work Opportunity Tax Credit (WOTC) https://detr.nv.gov/Page/Work\_Opportunity\_ Veterans Employment Services - <a href="https://detr.nv.gov/Page/Veteran\_Services">https://detr.nv.gov/Page/Veteran\_Services</a> Other Employment and Training Services

guesttype=IND&whereto=ETPLPROGRAMS

s not work-related and cannot work

day of his or her employment.

breast milk: or

provisions of this section.

for any purpose listed in paragraph (a)

posted by the employer pursuant to NRS 608.013.

a reason to his or her employer for such use.

stepparent of an employee; or (b) Any person for whom the employee is the legal guardian. Nevada Employment and Eligibility Assessment Initiative (REAnv)/ Reemployment Services and Eligibility Assessment Program (RESEA) - https:// www.dol.gov/agencies/eta/american-job-centers/RESEA

**Trade Assistance Act (TAA)** - <a href="https://www.dol.gov/agencies/eta/tradeact">https://www.dol.gov/agencies/eta/tradeact</a>

Federal Bonding Program - https://bonds4jobs.com/

off benefit; or (d) Extend the maximum amount of leave to which an employee is entitled

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

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

to take pursuant to the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et seq.

Vocational Rehabilitation - https://vrnevada.nv.gov/ Short-term Training programs - <a href="https://www.employnv.gov/admin/gsipub/htmlarea/">https://www.employnv.gov/admin/gsipub/htmlarea/</a> uploads/Short%20Term%20Training NV 04142021.pdf **Short-term Certificate programs** - <a href="https://www.tmcc.edu/academics/certifications">https://www.tmcc.edu/academics/certifications</a> Online Learning Resources - https://www.employnv.gov/vosnet/Guest.aspx?action=i Nevada's Displaced Homemaker Program - https://detr.nv.gov/Page/Displaced\_

For additional services, resources and program details - register in EmployNV at: https:// www.employnv.gov/vosnet/loginintro.aspx yment and Training Administration (ETA) and Veterans' Employment and Training Service of the U.S. Department of Labor,

of the AB 181: https://www.leg.state.nv.us/Session/80th2019/Bills/AB/AB181\_EN.pdf

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

such information in the record and, upon request, shall make those records available for

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

. 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 im

\*This document is for posting and information purposes and should not be consi

advice. Please refer to AB 181 and NRS section 613.

inspection by the Labor Commissioner

or on-call employees.

household member" means a"

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 Employme and the Rehabilitation Services Administration (RSA) of the U.S. Department of Labor. [Funding expenditures authorized by the Nevada Legislature, 81<sup>St</sup> Session (2021): Senate Bill (S.B.) 459] Carson City: Las Vegas:
1818 E. College Parkway, Suite 102, Carson City, Nevada 89706 • Telephone (775) 684-1890 • Fax (775) 687-6409 3340 WEST SAHARA AVENUE, SUITE 225, LAS VEGAS, NEVADA 89102 • PHONE (702) 486-2650 • FAX (702) 486-2660

#### SICK LEAVE (a) Shall not require an employee to be physically present at his or her place of work in 608.195 inclusive, in addition to other remedies or penalties as authorized by law order to notify his or her employer that he or she is sick or has sustained an injury that Copies of this notice may be obtained from our website at: www.labor.nv.gov For a co

#### (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 PAID LEAVE

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

2. An employee may use paid leave available for use by that employee without providing

1. Compensate an employee for the paid leave available for use by that employee at the . An employee shall, as soon as practicable, give notice to his or her employer to use t paid leave available for use by that employee rate of pay at which the employee is compensated at the time such leave is taken; and 1. An employer shall not: deny an employée 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 1. An employer shall provide to each employee on each payday an accounting of the use by that employee; or retaliate against an employee for using paid leave available hours of paid leave available for use by that employee. An employer may use the An employer shall maintain a record of the receipt or accrual and use of paid leave

> NURSING MOTHER'S ACCOMMODATION ACT bargaining agreement must be compensated. 3. An employer shall not retaliate, or direct or encourage another person to retaliate, against any employee because that employee has: Taken break time or used the space provided pursuant to subsection 1 or 3 to express

) Taken any action to require the employer to comply with the requirements of this

section, including, without limitation, filing a complaint, testifying, assisting or

pursuant to this section for each employee for a 1-year period following the entry of

Exceptions (set forth in subsections 3, 5, and 6 of Assembly Bill 113): . 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 An employer who employs fewer than 50 employees is not subject to the requirement 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

#### DOMESTIC VIOLENCE VICTIMS BULLETIN participate in court proceedings related to an act which constitutes domestic violence or sexual assault 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 family or household member of the employee from a future act which constitutes domestic violence or sexual assault. b) After taking any hours of leave upon the occurrence of the action which constitutes

domestic violence or sexual assault, 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

victim of an act which constitutes domestic violence or sexual assault, or whose family or (a) Deny an employee the right to use hours of leave in accordance with the conditions household member is a victim of an act which constitutes domestic violence or sexual assault, and the employee is not the alleged perpetrator, is entitled to not more than 160 of this section; (b) Require an employee to find a replacement worker as a condition nours of leave in one 12-month period. Hours of leave provided pursuant to this subsection f using hours of leave; or (c) Retaliate against and employee for using hours of leave. (a) May be paid or unpaid by the employer; (b) Must be used within the 12 months . The employer of an employee who takes hours of leave pursuant to this section may immediately following the date on which the act which constitutes domestic violence or require the employee to provide to the employer documentation that confirms of sexual assault occurred; (c) May be used consecutively or intermittently; and (d) If used 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 a reason for which leave may also be taken pursuant to the Family and Medical Leave Act of 1193, 29 U.S.C. §§ 2601 et seg., must be deducted from the amount of leave the for protection, an affidavit from an organization which provides services to victims employee is entitled to take pursuant to this section and from the amount of leave the of domestic violence or sexual assault or documentation from a physician. Any employee is entitled to take pursuant to the Family and Medical Leave Act of 1993, 29 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.

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 Commissione Carson City 775-684-1890 or Las Vegas 702-486-2650 www.labor.nv.gov

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 participating in any manner in an investigation, proceeding or hearing to enforce the 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. OFFICE OF THE LABOR COMMISSIONER

3300 WEST SAHARA AVENUE, SUITE 225, 1818 COLLEGE PARKWAY, SUITE 102. LAS VEGAS, NEVADA 89102 CARSON CITY, NV 89706 PHONE: (702) 486-2650 • FAX: (702) 486-2660 PHONE: (775) 684-1890 • FAX: (775) 687-6409 Copies of this notice may also be obtained from the Office of the Labor Commissioner at: Or by going to our website at http://labor.nv.gov STEVE SISOLAK, GOVERNOR • MICHAEL J. BROWN, DIRECTOR

SHANNON M. CHAMBERS, LABOR COMMISSIONE

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. 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 nerous 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

(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, o other adult person who is or was actually residing with the employee at the time of the act which constitutes domestic violence or sexual assault (c) "Sexual assault" has the meaning ascribed to it in NRS 200.366 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 . 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 OFFICE OF THE LABOR COMMISSIONER 3340 WEST SAHARA AVENUE, SUITE 225. LAS VEGAS, NEVADA 89102 • PHONE: (702) 486-2650 the Internet website maintained by the Office of Labor Commissioner, if any, and shall • FACSIMILE: (702) 486-2660 • 1818 COLLEGE PARKWAY, SUITE 102, CARSON CITY, NV 89706 require all employers to post the bulletin in a conspicuous location in each workplace • PHONE: (775) 684-1890 • FACSIMILE: (775) 687-6409 maintained by the employer. The bulletin may be included in any printed abstract

JOE LOMBARDO, GOVERNOR • DR. KRISTOPHER SANCHEZ, DIRECTOR BRETT HARRIS, LABOR COMMISSIONER

NV-0725

JOE LOMBARDO

BRETT HARRIS, ESQ

Auxiliary aids and services are available upon request for individuals with disabilities employee or applicant based on a need for a reasonable

UNEMPLOYMENT INSURANCE EMPLOYER: THIS NOTICE IS TO BE POSTED AT EACH WORK PLACE 4. Be available and willing to accept suitable employment if offered. 5. Make a reasonable and sincere effort to find a job.

> Claim Center: • In Southern Nevada call (702) 486-0350 • In Northern Nevada call (775) 684-0350 • In Rural Nevada call toll-free

**DETR** JobConnect

NUCS-4324 (Rev 04/14)

# STATE OF NEVADA Office of the Labor Commissioner