SERIAL NUMBER: NN54321

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Nevada & Federal Employment Notices

DATE POSTED:__ Labor Laws change often. Please call your distributor twice a year to confim if you are in compliance. All Rights Reserved. Unauthorized copies are ille

A RULOF

Updated 7/

STATE OF NEVADA

tp://www.labor.nv.gov

Department of Business & Industry

Employment and Training Programs

=IND&whereto=ETPLPROGRAMS

<u>Program_(CEP)</u>

Seasonal Farm Workers

Business Services

Order Form

Assistance

with an attorney experienced in industrial insurance.

OFFICE OF THE LABOR COMMISSIONER

REQUIRED POSTING – ASSEMBLY BILL 307

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 Medica

5. The Labor Commissioner shall prepare a bulletin which clearly sets forth the right to the benefits

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 ma

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

(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.

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

(c) Prohibit, preempt or discourage any contract or other agreement that provides a more

(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

TERRY REYNOLDS

LABOR COMMISSIONER

DIRECTOR

BRETT HARRIS

the employee at the time of the act which constitutes domestic violence.

violates provisions of NRS 608.005 to 608.195 inclusive is guilty of a misdemeanor. In addition

Pursuant to NRS 608.195 (except as otherwise provided in NRS 608.0165) any person who

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

Updated 4/18

Updated 4/23

OFFICE OF THE LABOR COMMISSIONER JOE LOMBARDO

employer shall exclude the names of the employees from the records, unless a request for a

be included in any printed abstract posted by the employer pursuant to NRS 608.013.

created by this section. The Labor Commissioner shall post the bulletin on the Internet website

Leave Act of 1993, 29 U.S.C. §§ 2601 et seq.

record is for the purpose of an investigation

8. As used in this section

(1) Spouse;

(2) Domestic Partner

(3) Minor child; or

1818 COLLEGE PARKWAY, SUITE 102

OFFICE OF THE LABOR COMMISSIONER

3300 WEST SAHARA AVENUE, SUITE 225

CARSON CITY, NV 89706

LAS VEGAS, NEVADA 89102

PHONE: (702) 486-2650

FAX (702) 486-2660

PHONE: (775) 684-1890

FAX (775) 687-6409

generous leave benefit or paid leave benefit.

(b) "Family or household member" means a"

Equal Employment Opportunity

APPLY TO ALL EMPLOYEES IN THE STATE OF NEVADA UNLESS OTHERWISE EXEMPTED. THESE RATES ARE EFFECTIVE AS OF JULY 1, 2023 AND WILL INCREASE AS SET FORTH BELOW UNTIL JULY 1, 2024.

PRODUCT ID

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

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

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

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

ective Date	Minimum Wage
ly 1, 2024	\$12.00

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

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

Updated 6/2

EMPLOYERS MUST PAY 1-1/2 TIMES AN EMPLOYEE'S REGULAR WAGE RATE WHENEVER AN EMPLOYEE WHO IS PAID LESS THAN 1-1/2 TIMES THE APPLICABLE MINIMUM WAGE RATE WORKS MORE THAN 40 HOURS IN ANY WORKWEEK OR MORE THAN 8 HOURS IN ANY WORKDAY, UNLESS OTHERWISE EXEMPTED. EMPLOYERS SHOULD REFER TO NRS 608 018 FOR FURTHER DETAILS ON OVERTIME REQUIREMENTS

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

EMPLOYEES WHO EARN LESS THAN \$15.375 PER HOUR (OFFERED QUALIFIED HEALTH BENEFITS) OR LESS THAN \$16.875 PER HOUR (NOT OFFERED QUALIFIED HEALTH BENEFITS) ARE ELIGIBLE FOR OVERTIME AT ONE AND A HALF TIMES THE EMPLOYEE'S REGULAR RATE OF PAY FOR ► OVER 8 HOURS OF WORK IN A 24-HOUR PERIOD; OR ▶ OVER 40 HOURS OF WORK IN A WORK WEEK.

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

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

1818 East College Parkway, Suite 102 Carson City, Nevada 89706 (775) 684-1890 3300 West Sahara Avenue, Suite 225 Las Vegas, Nevada 89102 (702) 486-2650

Updated 7/23

Daily Overtime Bulletin

Eff

STATE OF NEVADA epartment of Business & Industry OFFICE OF THE LABOR COMMISSIONER vww.labor.nv.go\

JOE LOMBARDO GOVERNOR

FERRY REYNOLDS DIRECTOR **BRETT HARRIS**

STATE OF NEVADA

/ww.labor.nv.gov

JOE LOMBARDO

FERRY REYNOLDS DIRECTOR

LABOR COMMISSIONER

2023 ANNUAL BULLETIN

POSTED APRIL 1, 2023

VEGAS NEVADA 89102

PHONE: (702) 486-2650

CARSON CITY NV 89706

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FAX (702) 486-2660

GOVERNOR

BRETT HARRIS

STATE OF NEVADA MINIMUM WAGE

epartment of Business & Industry

OFFICE OF THE LABOR COMMISSIONER

OFFICE OF THE LABOR COMMISSIONER 3300

WEST SAHARA AVENUE, SUITE 225 LAS

OFFICE OF THE LABOR COMMISSIONER

1818 COLLEGE PARKWAY, SUITE 102

LABOR COMMISSIONER STATE OF NEVADA

DAILY OVERTIMI 2023 ANNUAL BULLETIN POSTED APRIL 1, 2023

REPLY TO 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

Rules to be Observed By Employers

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

PURSUANT TO ARTICLE 15, SECTION 16(A) OF THE CONSTITUTION OF THE STATE OF

NEVADA AND ASSEMBLY BILL (AB) 456 PÀŚSED DURING THE 80TH REGULAR SESSION

OF THE NEVADA LEGISLATURE (2019), THE FOLLOWING MINIMUM WAGE RATES SHALI

ummary of NRS and NAC Provisions and should not be considered legal advice - REVISED 7-3-2023

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

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

. Discharge of employee: Whenever an employer discharges an employee, the wages and compensation arned 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 no later than the day on which he would ave regularly been paid or 7days after he resigns or guits, whichever is earlier

An employer shall not employ an employee for a continuous period of 8 hours without permitting the employe o have an uninterrupted meal period of at least one-half hour. Every employer shall authorize and permit overed 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 0 minutes for each 4 hours or major fraction thereof. Authorized rest periods shall be counted as hours worked, ch there shall be no deduction from wages. Effective July 1, 2023, each employer shall pay a wage to each employee of not less than \$10.50 per hour orked if the employer offers qualified health benefits, or \$11.25 per hour if the employer does not offer qualified health benefits. Offering health benefits means making qualified health benefits available to the employee for the employee and the employee's dependents at a total cost to the employee for premiums of not more than 10 percent of the employee's gross taxable income from the employer. Tips or gratuities received by employees shall not be credited as being any part of or offset against the minimum wage rates or the 10 percent premium for qualified health benefits. See https://labor.nv.gov/Employer/Employer Posters/ for Annual Minimum Wage

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 c 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 ofter

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 ned in this section shall be construed to prevent such employees from entering into an agreement to divid 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 employee 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

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 easil laundered by an employee, such employee's employer shall clean such uniform or accessory without cost to such employee.

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.

of up to \$15.625 for each serious violation and for optional penalties of up to \$15,625 for each nonserious violation. employer who willfully or repeatedly violates the Act may be

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.

Penalties of up to \$15,625 per day may be proposed for failure to correct violations within the proposed time period. Also, any assessed penalties of up to \$156,259 for each such violation.

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

VOLUNTARY ACTIVITY:

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

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

OSHA, U.S. Department of Labor

90 7th Street

Suite 18100

San Francisco, CA 94103

Telephone: (415) 625-2547

NOTE:

Health Plan may do so at the following address:

Southern Nevada 3360 W. Sahara Avenue, Suite 200

Persons wishing to register a complaint alleging inadequacy in the administration of the Nevada Occupational Safety and

PROHIBITIONS

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

EXEMPTIONS

Updated 1/2

Updated 6/2

Updated 6/23

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national securityrelated activities.

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and uard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that esulted in economic loss to the employe

he law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests

EXAMINEE RIGHTS

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights. including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons

ENFORCEMEN[®]

he Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT. 1-866-487-9243 • TTY: 1-877-889-5627 www.dol.gov/whd

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

- NEVADA obConnect start here

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

4. Giving misinformation or withholding information about the reason for separation from your

. Separation from employment due to quitting without good cause. 2. Being discharged for misconduct in connection with your work.

Refusal of an offer of suitable work without good cause

5. Failure to properly report wages.

Lie Detector

MAKING UNAUTHORIZED COPIES IS AGAINST THE LAW AND MAY SUBJECT YOU TO CIVIL AND CRIMINAL LIABILITY

Unemployment Insurance/Employment Security

The employees of this establishment are protected by Unemployment Insurance. This employer is required by law to contribute to the Nevada Unem

• File an unemployment insurance claim online or by calling the nearest Nevada Telephone Claim Center, as shown below, for full or partial unemployment benefits

www.NevadaJobConnect.com. If you are disabled and require assistance, contact the Nevada JobConnect Career Center prior to your visit to arrange special accommodations

part of the contribution is deducted from the wages of employees.

To be eligible for unemployment benefits an unemployed person must:

File a claim online or with the Nevada Telephone Claim Center.

Be available and willing to accept suitable employment if offered

· Auxiliary aids and services available upon request for individuals with disabilities

. Make a reasonable and sincere effort to find a job.

garding unemployment benefits.

Be physically able to work

To file a claim for unemployment

OR File online at <u>http://ui.nv.gov/</u>

To report suspected fraud, go to:

benefits call the Telephone Claim Center

In Southern Nevada call (702) 486-0350

n Northern Nevada call (775) 684-0350

An equal opportunity employer/program

· Relay Nevada 711 or (800) 326-6868 (TTY)

n Rural Nevada call toll-free (888) 890-8211

https://uifraud.nvdetr.org OR call (775) 684-0475

you are separated from your job or if your hours have been substantially reduced, immediatel

. Be unemployed through no fault of your own and meet all other conditions of the law

• Request employment services from the nearest Nevada JobConnect Career Center or find employment information online at

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 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@labor.nv.gov Updated 6/19

Polygraph Protection

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

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

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



An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous ov the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, nonrdous lobs with certain work hours restrictions. Different rules apply in agricultural employment.

plovers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their provess or upped employees who meet certain conductors may damin a partial wage of all based on this received by their provides. Employees must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their nimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the nimum hourly wage, the employer must make up the difference.

NURSING MOTHERS (PUMP AT WORK): reasonable break time for a nursing employee to express breast milk for their nursing child for one vegrafter the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than throom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the em

Come state area provide greater improves protections, employees may comply man boars. Some employees incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSAs minimum wage and overtime pay protections and correctly classified independent contractors are not. Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage und special certificates issued by the Department of Labor 1-866-487-9243 • TTY: 1-877-889-5627 • www.dol.gov/whd

Some state laws provide greater employee protections; employers must comply with both.

ADDITIONAL INFORMATION:

of Puerto Rico

WAGE AND HOUR DIVISION • UNITED STATES DEPA

mptions also apply to the pump at work requirements. vecial provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwea

ments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow

Pregnant Workers Fairness Act (PWFA)

WHAT IS PWFA? The Pregnant Workers Fairness Act (PWFA) is a federal law that, starting June 27, 2023, requires covered employers to provide "reasonable accommodations" to a qualified worker's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer undue hardship." An undue hardship is defined as causing significant difficulty or expense

easonable accommodations" are changes to the work environment or the way things are usually done at work WHAT ARE SOME POSSIBLE ACCOMMODATIONS FOR PREGNANT WORKERS? Being able to sit or drink water Receiving closer parking Having flexible hours

Receiving appropriately sized uniforms and safety apparel Receiving additional break time to use the bathroom, eat, and rest

Taking leave or time off to recover from childbirth Being excused from strenuous activities and/or exposure to chemicals not safe for pregnancy

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the non-

WHAT OTHER FEDERAL EMPLOYMENT LAWS MAY APPLY TO PREGNANT WORKERS? laws that apply to workers affected by pregnancy, childbirth, or related medical conditions, include: Title VII which prohibits employment discrimination based on sex, pregnancy, or other protected categories (enforced by the U.S. Equal Employment Opportunity Commission (EEOC)) The ADA which prohibits employment discrimination based on disability (enforced by the EEOC) The Family and Medical Leave Act which provides unpaid leave for certain workers for pregnancy and to bond with a new child (enforced by the U.S Department of Labor)

The PUMP Act which provides nursing mothers a time and private place to pump at work (enforced by the U.S. Department of Labor)

Learn more at www.EEOC.gov/Pregnancy-Discrimination

Equal Employment Opportunity

Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help

Who is Protected wro is protected / · Employees (current and former), including managers and temporary employee · Job applicants Union members and applicants for membership in a union

What Organizations are Covered? State and local governments (as employers Educational institutions (as employers)

Staffing agencies What Types of Employ ate against you, regardless of your immigration status, on the bases of

Religion
National origin ex (including pregnancy and related conditions, sexual orientation, or gender identity)

Age (40 and older) enetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family

Idical history) Retallation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or sceeding. terference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy

What Employment Practices can be Challenged as Discriminatory?

l aspects of employment, including: Discharge, firing, or lay-off cluding unwelcome verbal or physical conduct) liring or promotion

Assignment Pay (unequal wages or compensatior Failure to provide reasonable accomr Benefits ation for a disability or a sincerelyheld religious belief, observa

bitaining or disclosing genetic information of employees equesting or disclosing medical information of employees onduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation

roceeding. nduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encour else to exercise rights, regarding disability discrimination (including acc

What can You Do if You Believe Discrimination has Occurred? ntact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of crimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:



Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov.

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin exual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of mployment. Asking About, Disclosing, or Discussing Pay Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquirin about, disclosing, or discussing their compensation or the compensation of other applicants or employees iiifly in 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, the source of the source o employment, including the executive level. The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterars (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces

action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities

The Office of Federal Contract Compliance Programs (OFCCP) U.S. Department of Labor 00 Constitution Avenue, N.W. /ashington, D.C. 20210 1–800–397–6251 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at https://ofcophelpdesk.dol.gov/s/, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at https://www.dol.gov/agencies/ofcop/contact.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

should immediately contact the Federal agency providing such assistance

Race, Color, National Origin, Sex In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended in addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended in addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, Title VII of the Civil Rights Act of 1964, as in prohibits discrimination on the basis of non-ne-Convergence on the on-neuronal convergence of the second s Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

ndividuals with Disabilities Section 504 of the Rehabilitat ion Act of 1973. as amended, prohibits employment discrimination on the basis of disability in any progra or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employm tisabilities who, with or without reasonable accommodation, can perform the essential functions of the job. ent against pers If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you

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.

For a copy of the AB 181: https://www.leg.state.nv.us/Session/80th2019/Bills/AB/AB181_EN.pdf

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

Nevada Pregnant Workers' Fairness Act

Pursuant to NRS 613.335 and sections 2 to 8, inclusive, of the Nevada Pregnant Workers' Fairness Act (effective October 1, 2017) employees have the right to be free from discriminatory or unlawful mployment practices based on pregnancy, childbirth, 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 pregnancy, childbirth, or a related medical condition, unless an accommodation would npose an undue hardship on the business of the employer.

• Take adverse employment actions against a female employee because the employee requests or uses a reasonable accommodatior Deny an employment opportunity to a qualified female employee or applicant based on a need for a reasonable accommodation.

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 s available.

der the act, an employer may

Require a female employee to submit written medical certification from the employee's physician substantiating the need for an accommodation because of pregnancy, childbirth, or related medical nditions, and the specific accommodation recommended by the physician

For further information regarding the Act, contact the Nevada Equal Rights Commission. NERC NEVADA EQUAL RIGH An equal opportunity employer/program 1820 East Sahara Avenu 1325 Corporate Blvd. Auxiliary aids and services are available upor Suite 314 Room 115 Reno, NV 89502

Las Vegas, NV 89104 request for individuals with disabilities Relay 711 or 800.326.6868 Phone (702) 486-716 Phone (775) 823-6690

Domestic Violence Victims

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

DOMESTIC VIOLENCE BULLETIN EFFECTIVE January 1, 2018

NRS 608.0198

www.nvdetr.org

. 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 s entitled to not more than 160 hours of leave in one 12-month period. Hours of leave provided ursuant 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 1193, 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 7. The provisions of this section do not: the employee is entitled to take pursuant to the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et. Seq.

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

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

(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

(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.

(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). An employer shall not

(a) Deny an employee the right to use hours of leave in accordance with the conditions of this section: (b) Require an employee to find a replacement worker as a condition of using hours of

leave; or

(c) Retaliate against and employee for using hours of leave.

Marry or divorce?

ended a job)?

mplovment.

STATE OF NEVADA

/ww.labor.nv.gov

epartment of Business & Industry

OFFICE OF THE LABOR COMMISSIONER

section 608 governing Private Employers

Requirements of Assembly Bill 113:

nder 1 year of age with

s hereby amended with a new section as follows:

STATE OF NEVADA NURSING MOTHER'S ACCOMMODATION ACT

during the 2017 Legislative Session, Nevada Revised Statutes (NRS)

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

. Except as otherwise provided in subsections 3, 5 and 6 (see below),

employee to express breast milk as needed; and

(a) Reasonable break time, with or without compensation, for the

(b) A place other than a bathroom that is reasonably free from

dirt or pollution, which is protected from the view of others and

each employer shall provide an employee who is the mother of a child Commissioner at:

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

lame

Your tax credits?

Change your name?

Gain or lose a dependent

Your itemized deductions?

Were there major changes to ..

. 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

IRS Withholding

YOU MAY NEED TO CHECK YOUR WITHHOLDING If you can answer "yes" ... Since you last filed Form W-4 with your employer did you. To any of these or you owed extra tax when you filed your last return. you may need to file a new Form W-4. See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676. Now is the time to check your withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at www.irs.gov/ Your nonwage income (interest, dividend, capital gains, etc.)? individuals on the IRS website. Your family wage income (you or your spouse started or

Employer: Please poster or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.

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

construction jobsite that is located at least 3 miles from the regular

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

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

person an administrative penalty of not more than \$5,000 for each

employee who is performing work at a

place of business of the employer.

1818 College Parkway, Suite 102

Carson City, Nevada 89706

(775) 684-1890

Discrimination

DISCRIMINATION HAS NO PLACE IN THE WORKPLACE

OR

File an on-line complaint at: <u>https://neats.state.nv.us.</u>

Sign-in, link can be found on your NEATS "Home Page."

OR

Call the Hotline

1-800-767-7381 The State of Nevada is committed to promptly investigating all complaints of discrimination.

Nursing Mother's Accomodation Act

violation

The State of Nevada prohibits discrimination based on race, color, religion, sex, national origin, pregnancy, age, disability, sexual orientation genetic information, gender identity or expression, domestic relations and compensation or wages in any terms, conditions or privilege of

If you believe you have been subjected to or witnessed discrimination, contact your agency coordinator:

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) Works more than 8 hours in any workday unless by mutual agreement the employee works a scheduled 10 ours per day for 4 calendar days within any scheduled week of work

employer shall pay 1 1/2 times an employee's regular wage rate whenever an employee whose wage rate s 1 1/2 times, or more than the minimum wage works more than 40 hours in any scheduled week of work. See ttps://labor.nv.gov/Employer/Employer_Posters/ for Annual Daily Overtime notice.

he above provisions do not apply to: (a) Employees who are not covered by the minimum wage provisions of e Constitution (b) Outside buyers; (c) Employees in a retail or service business if their regular rate is more 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 ional capacities; (e) Employees covered by collective bargaining agreements which provide otherwise or 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 elpers making local deliveries and paid on a trip-rate basis or other delivery payment plan; (j) Drivers of axicabs or limousines; (k) Agricultural employees; (l) Employees of business enterprises having a gross sales olume of less than \$250,000 per year; (m) Any salesman or mechanic primarily engaged in selling or servicing automobiles, trucks or farm equipment; and (n) A mechanic or workman for any hours to which the provisions of subsection 3 or 4 of NRS 338.020 apply. (O) A domestic worker who resides in the household where he or she vorks if the domestic worker and his or her employer agree in writing to exempt the domestic worker from the rements 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 skeping period not to exceed 8 hours if adequate sleeping facilities are furnished pursuan to NRS section 608.0195.

Effective July 1, 2023 as set forth in Assembly Bill (AB) 307 passed during the 2021 Legislative

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 section to read as follows

. The Department (Department of Employment, Training and Rehabilitation; DETR) shall

prepare one or more notices concerning job training or employment programs conducted by

the Department, including, without limitation, the Career Enhancement Program and Nevada

and employment programs. This Notice fulfills DETR's April 1, 2022 required reporting:

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

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

Job Order Posting - <u>https://nevadajobconnect.com/Page/Post_a_Job_Opening</u>

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

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

Migrant Seasonal Farm Workers - https://nevadajobconnect.com/Page/Migrant_and_

- Nevada JobConnect Career Centers - https://nevadajobconnect.com/Page/Career_Centers

Eligible Training Provider List (ETPL) - https://www.employnv.gov/vosnet/guest.aspx?guesttyp

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

- Foreign Labor Certification (FLC) - https://nevadajobconnect.com/page/H-2B_Online_Job_

- Rapid Response - https://nevadajobconnect.com/Page/Rapid_Response_Business_Closure_

NOTE: STATE LAW REQUIRES WORKERS' COMPENSATION POSTER BE AT LEAST 11" X 17" INCHES WITH TEXT APPEARING ON THE REMAINDER OF THE POSTER NOT LESS THAN 10-POINT TYPE

Nithin 30-days following the end of each calendar quarter (October 1, January 1, April 1, and July

). DETR will transmit to the Labor Commissioner an updated notice on the following job training

JobConnect, and provide each such notice to the Labor Commissioner.

Employment Services - https://nevadajobconnect.com/#

- Silver State Works (SSW) - http://silverstateworks.com/

Session, Nevada Revised Statutes (NRS) section 232 is hereby amended with a new section as

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 14. 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

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

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 employ 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 requirements and exceptions)

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

16. 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)

17.An employer in private employment shall post the required bulletins and notices available at: https://labor nv.gov/Employer/Employer Posters

18. Senate Bill 386, cited as the "Nevada Hospitality and Travel Workers Right to Return Act", requires certain employers to offer job positions to certain employees under certain conditions. This bill requires that certain employees have an opportunity to return to their jobs when circumstances permit. See this link regarding preliminary guidance on this bill. Senate Bill 386 Preliminary Guidance (nv.gov).

19.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 re, 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 775-684-1890 or Las Vegas 702-486-2650 - TOLL FREE: 1-800-992-0900 Ext. 4850

Updated 7/2

Updated 7/2

Employee Leave & Career Enhance Program

employnv.gov/vosnet/loginintro.aspx

(2021): Senate Bill (S.B.) 459]

PHONE (775) 684-1890

FAX (775) 687-6409

FAX (702 486-2660

486-2650

OFFICE OF THE LABOR COMMISSIONER

OFFICE OF THE LABOR COMMISSIONER

3300 W. SAHARA AVE. SUITE 225 LAS VEGAS, NEVADA 89102 PHONE (702)

1818 COLLEGE PARKWAY, SUITE 102 CARSON CITY, NEVADA 89706

- Work Opportunity Tax Credit (WOTC) - https://nevadajobconnect.com/Page/Work **Opportunity Tax Credit**

Other Employment and Training Services - Nevada Employment and Eligibility Assessment Initiative (REAnv)/Reemployment
 Services and Eligibility Assessment Program (RESEA) - https://www.dol.gov/agencies/eta/ american-job-centers/RESEA Trade Assistance Act (TAA) - <u>https://www.dol.gov/agencies/eta/tradeact</u> Federal Bonding Program - https://bonds4jobs.com/

Vocational Rehabilitation - https://detr.nv.gov/Page/Rehabilitation_Division_Bureau_of_ Vocational Rehabilitation Short-term Training programs - https://www.employnv.gov/admin/gsipub/htmlarea/uploads/

Short%20Term%20Training_NV_04142021.pdf Short-term Certificate programs - https://www.tmcc.edu/academics/certifications

- Education and Training - https://www.employnv.gov/vosnet/Guest.aspx?action=indguest&gue ttype=IND&whereto=LEARNING Online Learning Resources - https://www.employnv.gov/vosnet/OnlineLearning/Resources

- Nevada's Displaced Homemaker Program - https://detr.nv.gov/Page/Displaced_ Homemakers Program
- Grow with Google – email: growwithgoogle@detr.nv.gov

For additional services, resources and program details - register in EmployNV at: https://www.

Pursuant to the Stevens Amendment (https://www.gao.gov/products/gao-19-282), the employr

Department of Labor. [Funding expenditures authorized by the Nevada Legislature, 81st Session

JOE LOMBARDO

BRETT HARRIS

TERRY REYNOLDS

Labor Commissioner

Governor

Director

services and training programs included in this Notice are supported by the Employment

and Training Administration (ETA) and Veterans' Employment and Training Service of the

U.S. Department of Labor: and the Rehabilitation Services Administration (RSA) of the U.S.

Notice to Employer

STATE OF NEVADA Office of the Labor Commission

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

a) Shall not require an employee to be physically present at his or her place of work in order to potify his or her mployer 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.

ment is for posting and information purposes and should not be considered legal advice. Please refer to AB 181 and NRS section 613 For more information contact the Office of the Labor Commis Carson City 775-684-1890 or Las Vegas 702-486-265 Toll Free: 1-800-992-0900 Ext. 480

Internet: www.labor.nv.gov Updated 7/19

USERRA

ENFORCEMENT

• FOR USE BY PRIVATE SECTOR AND STATE GOVERNMENT EMPLOYERS • YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment ositions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of e uniformed services, and applicants to the uniformed services.

REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the niformed service and • you ensure that your employer receives advance written or verbal notice of your service; • you have five

ears or less of cumulative service in the uniformed services while with that particular employer; • you return to work or apply for reemployment in a timely manner after conclusion of service: and • you have not been parated from service with a disqualifying discharge or under other than honorable conditions

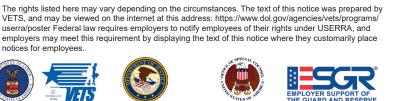
If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if ou had not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you: • are a past or present member of the uniformed service; • have applied for membership in the uniformed service; or • are obligated to serve in the uniformed service; then an employer may not deny ployment; • retention in employment; • promotion; or • any benefit of you: • initial employment; • ree employment because of this status.

HEALTH INSURANCE PROTECTION

If you leave your job to perform military service, you have the right to elect to continue your existing mployer-based health plan coverage for you and your dependents for up to 24 months while in the military



B - **F** - **F** - **F**

Paid	Leave	
STATE OF NEVADA Department of Business & Industry OFFICE OF THE LABOR COMMISSIONER http://www.labor.nv.gov	4. The provisions of this section shall not be construed or procedures available under the law; (b) Negate any aggrieved party; (c) Prohibit, preempt or discourage any generous sick leave benefit or paid time off benefit; or (i employee is entitled to take pursuant to the Family and	other rights, remedies or procedures a y contract or other agreement that pro d) Extend the maximum amount of lea
REQUIRED POSTING – ASSEMBLY BILL 190 https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7578/Text#	 5. An employer shall not deny an employee the right to use accrued sick leave in accordance of this section or retaliate against an employee for attempting to prosecute a violation of this exercising any rights afforded by this section. 6. The provisions of this section do not apply: (a) To the extent prohibited by federal law; or (I employee of the employer if the employee is covered under a valid collective bargaining agre 7. As used in this section, "immediate family" means: (a) The child, foster child, spouse, dom parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent of an employee; or whom the employee is the legal guardian. 	
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 amended by adding thereto a new section to read as follows:		
 Except as otherwise provided in this section, if an employer provides paid or unpaid sick leave for the use of his or her employees, the employer must allow an employee to use any accrued sick leave to assist a member of the immediate family of the employee who has an illness, injury, medical appointment or other authorized medical need to the same extent and under the same conditions that apply to the employee when taking such leave. 		
	JOE LOMBARDO	OFFICE OF THE LABOR COMMIS
2. An employer may limit the amount of sick leave that an employee may use pursuant to subsection 1 to an amount which is equal to not less than the amount of sick leave that the employee accrues during a 6-month	Governor	1818 COLLEGE PARKWAY, SUITI CARSON CITY, NEVADA 89706
It which is equal to not less than the amount of sick leave that the employee accides during a ornoriting.	TERRY REYNOLDS Director	PHONE (775) 684-1890 FAX (775) 687-6409
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.	BRETT HARRIS Labor Commissioner	OFFICE OF THE LABOR COMMI 3300 W. SAHARA AVE. SUITE 22 LAS VEGAS, NEVADA 89102 PHONE (702) 486-2650 FAX (702 486-2660

Family Medical Leave Act

How do I request FMLA leave? Generally, to request FMLA leave you must:

Follow your employer's normal policies for requesting leave,
Give notice at least 30 days before your need for FMLA leave, or
If advance notice is not possible, give notice as soon as possible

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer** if **FMLA leave was previously taken** or approved for the same reason when requesting additional leave. Your employer may request certification from a health care provider to verify medical leave and may request certification of a qualifying exigency. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave fights. State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

What does my employer need to do? If you are eligible for FMLA leave, your employer must: • Allow you to take job-protected time off work for a qualifying reason, • Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and • Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave. Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retailate against you for requesting FMLA leave or cooperating with a WHD investigation.

· Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries • The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to

investigate and resolve complaints of USERRA violations. . For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at https://www.dol.gov agencies/vets/. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vet userra • If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, ncluding testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: https://www.dol.gov/agencies/v userra/poster Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place



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		、 ·, ····
	resources, nature and structure of the business of the employer.	PHONE: (775) 684-1890 FAX (775) 687-6409
Updated 4/23	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	OFFICE OF THE LABOR COMMISSIONER 1818 COLLEGE PARKWAY, SUITE 102 CARSON CITY, NV 89706
IISSIONER 25	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.	LAS VEGAS, NEVADA 89102 PHONE: (702) 486-2650 FAX (702) 486-2660
IISSIONER TE 102	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	LABOR COMMISSIONER OFFICE OF THE LABOR COMMISSIONER 3300 WEST SAHARA AVENUE, SUITE 225
mestic partner, sibling, ; or (b) Any person for	an investigation, proceeding or hearing to enforce the provisions of this section.	BRETT HARRIS
(b) With regard to an reement.	(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	TERRY REYNOLDS DIRECTOR
ce with the provisions s section or for	 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 	JOE LOMBARDO GOVERNOR
nts, remedies s available to an rovides a more eave to which an C. §§ 2601 et seq.	 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 bargaining agreement must be compensated. 	3300 W. W Sahara Avenue, Suite 225 Las Vegas, Nevada 89102 (702) 486-2650 Or by going to our website at http://labor.nv.gov
	free from intrusion by others where the employee may express breast milk.	or
	free frem intrusion by others where the employee may ever	(775) 684-1890

	Emergency Notice	
	(Please Give Exact Address of This Worksite Location)	
Physicians:	Hospitals:	
	Ambulances: 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 618.295; 29 CFR 1926.50)

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

Workers' Compensation

State of Nevada

DEPARTMENT OF BUSINESS & INDUSTRY

DIVISION OF INDUSTRIAL RELATIONS

Workers' Compensation Section

ATTENTION

employer or employee or your rights and qualification for specific benefits under an industrial injury or occupational disease claim, you should consult

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

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 n 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; 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) Vocational Rehabilitation Services: You may be eligible for vocational f 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.

Claim for Compensation (Form C-4): If medical treatment is sought, the form C-4 is available at the place of initial treatment. A completed 'Claim for Compensation" (Form C-4) must be filed within 90 days after an accident or OD. The treating physician or chiropractor 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 njury or OD, you may be required to select a physician or chiropractor 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 into a contract with an MCO or PPO, you may select a physician or chiropractor from the Panel of Physicians and Chiropractors 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 chiropractor 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 chiropractor 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.

The information in this publication is derived from Chapters 616A through 616D, inclusive, and 617 of the Nevada Revised Statutes and is provided or informational purposes only. If you have any questions, regarding your injury or workers' compensation claim, please call the following:

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 Appeal 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 Štreet, 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, 400 West King Street, Suite 400, Carson City, Nevada 89703, telephone (775) 684-7270, or 3360 W. Sahara Ave., Suite 250, Las Vegas, NV 89102, telephone (702) 486-9080.

For Assistance with Workers' Compensation Issues: You may contact the State of Nevada Office for Consumer Health Assistance, 3320 West Sahara Avenue, Suite 100, Las Vegas, Nevada 89102, Toll Free 1-888-333-1597, Web site: http://dhhs.nv.gov/Programs/CHA, E-mail cha@ govcha.nv.gov

ay take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hou ay or week. Read Fact Sheet #28M(c) for more information. FMLA leave is not paid leave, but you may choose, or be required by your employer, to use any employer-provided paid e policy covers the reason for which you need FMLA leave

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

What is FMLA leave?: The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with bor the carrier of the carring and medical Leave Act (FMLA) is a tederal law that provides eligible employees with bo-protected leave for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division WHD) enforces the FMLA for most employees.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness may take up to 26 workweeks of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for: • The birth, adoption or foster placement of a child with you, • Your serious mental or physical health condition that makes you unable to work, • To care for your spouse, child or parent with a serious mental or physical health condition, and • Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicementary

Am I eligible to take FMLA leave?

You are an **eligible employee if all** of the following apply: • You work for a covered employer, • You have worked for your employer at least 12 months, • You have at least 1,250 hours of service for your employer during the 12 months before your leave, and • Your employer has at least 50 employees within 75 miles of your work location. After becoming aware that your need for leave is for a reason that may gualify under the FMLA, your employer must Nevada OSHA Enforcement Division of Industrial Relations Confirm whether you are eligible or not eligible for FMLA leave. If your employer detern your employer must notify you in writing: • About your FMLA rights and responsibilities, and • How much of your requested leave, if any, will be FMLA-protected leave. Nevada Department of Business and Industry Insurer/Administrator: **Contact Person:** Airline flight crew employees have different "hours of service" requirements work for a covered employer if one of the following applies: You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous Where can I find more information? call 1-866-487-9243 or visit doi.gov/fmla to learn more. If you believe your rights under the FMLA have been violated, yo may file a complaint with WHD or file a private lawsuit against your employer in court. Scan the QR code to learn about **Payday Notice** Address: **Telephone Number:** You work for an elementary or public or private secondary school, or our WHD complaint process. You work for a public agency, such as a local, state or federal government a by Title II of the FMLA, administered by the Office of Personnel Management nent agency. Most federal employees are covered State City Zip For additional information: 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd U.S. Department of Labor • Wage and Hour Div he Nevada Revised Statutes Chapter 608.060 states that "...all wages or compensation of employees in private employment is due semi-monthly. All Updated 4 such wages or compensation earned and unpaid before the first day of any month is due not later than 8 a.m. on the 15th day of the month following nat in which the wages or compensation was earned. All wages or compensation earned and unpaid before the 16th day of any month is due not late than 8 a.m. on the last day of the same month. I ALGO MCO/Health Care Provider: **Contact Person:** cheduled paydays: (Indicate the place of payment, the dates of the month for employees paid semi-monthly, and the day of the week for mployees paid weekly or at other times.) **ProService** HAWAII **Telephone Number:** Address: PLACE OF PAYMENT SEMI-MONTHLY City State Zip HR that powers your business WEEKLY OTHER lade in USA TO REORDER, CALL 1-888-488-7678 OR ORDER AT STATEANDFEDERALPOSTER.COM ALL RIGHTS RESERVED. © COPYRIGHT BY STATE AND FEDERAL POSTER, INC MAKING UNAUTHORIZED COPIES IS AGAINST THE LAW AND MAY SUBJECT YOU TO CIVIL AND CRIMINAL LIABILITY