Nevada & Federal Employment Notices

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

NEVADA SAFETY AND HEALTH PROTECTION ON THE JOB

NOTE: OSHA REQUIRES THAT REPRODUCTIONS OR FACSIMILES OF THE POSTER BE AT LEAST 8.5" X 14" INCHES WITH 10 POINT TYPE

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:

SKU: NV-SLIM-ENG

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

EMPLOYEES:

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

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

INSPECTION:

The Act requires that a representative of the employer and a representative authorized by the employees be given an opportunity to accompany the Nevada OSHA inspector for the purpose of aiding the inspection.

Where there is no authorized employee representative, the Nevada OSHA Safety and Health Representative/ Industrial Hygienist must consult with a reasonable number of employees concerning safety and health conditions in the workplace.

COMPLAINT:

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

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

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

CITATIONS:

PROPOSED PENALTY:

The Act provides for mandatory penalties against employers of up to \$14,502 for each serious violation and for optional penalties of up to \$14,502 for each nonserious violation. Penalties of up to \$14,502per 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 \$145,027 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:

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

Northern Nevada 4600 Kietzke Lane, Suite F-153 Reno, Nevada 89502 Telephone: (775) 688-3700 Fax: (775) 688-1378

Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you fron 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.

rent and former), including managers and temporary employee

Job applicants nion members and applicants for membership in a union

What Organizations are Covered? • Most private employers

State and local governments (as employers) Educational institutions (as employers) Unions
 Staffing agencies

What Types of Employment Discrimination are Illegal? Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

Sex (including pregnancy and related conditions, sexual orientation, or gender identity)
 Age (40 and older)
 Theshilt

Disability
 Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
 Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding.

What Employment Practices can be Challenged as Discriminatory?

It is the public policy of the State of California to encourage employees to notify an appropriate

government or law enforcement agency, person with authority over the employee, or another employee with authority to investigate, discover, or correct the violation or noncompliance, and to provide information to and testify before a public body conducting an investigation, hearing or inquiry, when they

have reason to believe their employer is violating a state or federal statute, or violating or not complying with a local, state or federal rule or regulation.

winal is a winsueprover: A 'whistleblower' is an employee who discloses information to a government or law enforcement agency person with authority over the employee, or to another employee with authority to investigate, discover,

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

EACHIFY 110190 Federal, State and local governments are not affected by the law. Also, the law does not apply to test given by the Federal Government to certain private individuals engaged in national security-related

he Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to

by the dispersion in polarized minor dealing of the dealing of the dispersion in the dispersion of the

Ily prohibited from requiring or requesting any employee or job applicant to take a

nt to California Labor Code Section 1102.5, employees are the protected class of individuals. "Employee" means any person employed by an employer, private or public, including, but not limited to, individuals employed by the state or any subdivision thereof, any county, city, city and county, including any charter city or county, and any school district, community college district, municipal or public corporation, political subdivision, or the University of California Labor Code Section 1106]

ion, or the University of California. [California Labor Code Section 1106]

ווו מקרטאס טר פווןדעטעזווווו, וווכווטמוק: • Discharge, firing, or lay-off Harassment (including unwelcome verbal or physical conduct) • Hiring or promotion

- Assignment
 Pay (unequal wages or compensation)
 Failure to provide reasonable accommodation for a disability or a sincerelyheld religious bel observance or practice

Job training
 Classification
 Referral

Who is protected?

What is a whistleblower?

ployers are gene

Equal Employment Opportunity

Obtaining or disclosing genetic information or employees Requesting or disclosing medical information of employees Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding.

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

Submit an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx

Call 1-800-669-4000 (toll free) I=800-009-0620 (TTT) I=844-234-5122 (ASL video phone) Visit an EEOC field office (information at www.eeoc.gov/field-office) E-Mail info@eeoc.gov



Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov. EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative 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:

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

Disability Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities rom discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making easonable accommodation to the known physical or mental limitations of an otherwise qualified individua with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employer. Section 503 also individuals with disabilities at all levels of employment, including the executive level. Protected Veteran Status 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 veterans (i.e., within three years of discharge or release from active duty), active duty warrine or campaign badge veterans, or Armed Forces service medal veterans.

Retaliatio

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

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 should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP) U.S. Department of Labor 200 Constitution Avenue, N.W. Washington, 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://ofccphelpdesk.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/ofccp/contact.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL 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, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educationa momans or activities which receive Federal financial assistance. programs or activities which receive Federal financial assistance.

Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination i prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

Whistleblowers' Protection

WHISTLEBLOWERS ARE PROTECTED

or correct the violation or noncompliance, or who provides information to or testifies before a public body conducting an investigation, hearing or inquiry, where the employee has reasonable cause to believe that the information discloses: 1. A violation of a state or federal statute

2. A violation or noncompliance with a local, state or federal rule or regulation, or 3. With reference to employee safety or health, unsafe working conditions or work practices in the 3. With Helefence to employee safety or notany, anothe working contaction or noting paratece in an employee's employee's employee's end of the an employee who refuses to participate in an activity that would result in a violation of a state or federal statute, or a violation of or noncompliance with a local, state or federal rule

or regulation

What protections are afforded to whistleblowers? 1. An employer may not make, adopt, or enforce any rule, regulation, or policy preventing an employed

An employer may not make, adopt, or enforce any rule, regulation, or policy preventing an employee from being a whistleblower.
 An employer may not retaliate against an employee who is a whistleblower.
 An employer may not retaliate against an employee for refusing to participate in an activity that would result in a violation of a state or federal statute, or a violation or noncompliance with a state or federal

4. An employer may not retaliate against an employee for having exercised his or her rights as a whistleblower in any former employment.

Under California Labor Code Section 1102.5. if an employer retaliates against a whistleblower, the employer may be required to reinstate the employee's employment and work benefits, pay lost wages and take other steps necessary to comply with the law.

How to report improper acts

If you have information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility by a corporation or limited liability company to its shareholders, investors, or employees, call the California State Attorney General's Whistleblower Hotline at 1-800-952-5225. The Attorney General will refer your call to the appropriate government authority for review and

Polygraph Protection

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 unauthering a percent.

resultations, to certain problem we elimptoyees or security service infine (an inter dual, adaint, 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 resulted in economic loss to the employer. The 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.

ENFORCEMENT The Secretary of Labor may bring court actions to restrain violations and assess civil penalties agains violators. Employees or job applicants may also bring their own court actions. THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOE

APPLICANTS CAN READILY SEE IT. 1-866-487-9243 • TTY: 1-877-889-5627 <u>www.dol.gov/whd</u>

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

Workers' Compensation

State of Nevada DEPARTMENT OF BUSINESS & INDUSTRY DIVISION OF INDUSTRIAL RELATIONS

Workers' Compensation Section

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

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 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

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.

NOTE: Persons wishing to register a complaint alleging inadequacy in the administration of the Nevada Occupational Safety and Health Plan may do so at the following address: OSHA, U.S. Department of Labor 90 7th Street Suite 18100 San Francisco, CA 94103 Telephone: (415) 625-2547

Medical Treatment: If you require medical treatment for your on-the-job injury 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.

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

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.

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.

State

State

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 98701, (775) 684-7555, or 2200 S. Rancho Drive, Suite 230, Las Vegas, NV 89102, (702) 486-2830.

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.

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 (772) 485-980.

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.

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 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 Vega 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 2200 S. Rancho Drive, Suite 240, Las Vegas, Nevada 89102, If you disagree with a decision of an Appeals Officer, you may If e a petition for judicial review with the District Cour 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 post-representation.

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

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. Contact Person

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

(Rev. 01-22)

Employers subject to the state minimum wage law are obligated to pay the higher rate Federal Minimum Wage 1 \$7.25 PER HOUR BEGINNING JULY 24, 2009

The law requires employers to display this poster where em

OVERTIME PAY: least 11/2 times the regular rate of pay for all hours worked over 40 in a workwee

CHILD LABOR

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 by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

TIP CREDIT

Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employers. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum 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 minimum wage, the employer must make up the difference.

NURSING MOTHERS

STATE OF NEVADA

STEVE SISOLAK GOVERNOR

TERRY REYNOLDS DIRECTOR

SHANNON M. CHAMBERS LABOR COMMISSIONER

STATE OF NEVADA MINIMUM WAGE 2022 ANNUAL BULLETIN POSTED APRIL 1, 2022

VEGAS, NEVADA 89102 PHONE: (702) 486-2650 FAX (702) 486-2660

STATE OF NEVADA

STEVE SISOLAK GOVERNOR

TERRY REYNOLDS DIRECTOR

STATE OF NEVADA

REPLY TO

SHANNON M. CHAMBERS LABOR COMMISSIONER

DAILY OVERTIME 2022 ANNUAL BULLETIN POSTED APRIL 1, 2022

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

OFFICE OF THE LABOR COMMISSIONER 3300 WEST SAHARA AVENUE, SUITE 225 LAS

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

Department of Business & Industry OFFICE OF THE LABOR COMMISSIONER

The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

ENFORCEMENT: The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death to repeated. The law also prohibits retailating against or discharging workers who file a complete the surpticipate in any croceeding under the FLSA. complaint or participate in any proceeding under the FLSA.

ADDITIONAL INFORMATION:

Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Jommonwealth of Puerto Kico. Some state laws provide greater employee protections; employers must comply with both. Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is mportant to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and vertime 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 under special certificates issued by the Department of Labor.

1-866-487-9243 • TTY: 1-877-889-5627 • www.dol.gov/whd WAGE AND HOUR DIVISION • WAGE AND HOUR DIVISION • UNITED STATES DEPARTMENT OF LABOR

State Minimum Wage

PURSUANT TO ARTICLE 15, SECTION 16(A) OF THE CONSTITUTION OF THE STATE OF NEVADA AND ASSEMBLY BILL (AB) 456 PASSED DURING THE 80TH REGULAR SESSION OF THE NEVADA LEGISLATURE (2019), THE FOLLOWING MINIMUM WAGE RATES SHALL APPLY TO ALL EMPLOYEES IN THE STATE OF NEVADA UNLESS OTHERWISE EXEMPTED. THESE RATES ARE EFFECTIVE AS OF JULY 1, 2022, AND WILL INCREASE AS SET FORTH BELOW UNTIL JULY 1, 2024.

FOR EMPLOYEES TO WHOM QUALIFYING HEALTH BENEFITS HAVE BEEN OFFERED/MADE AVAILABLE BY THE EMPLOYER THE LOWERT TIRE RATE MAY BE PAID. PLEASE SEE SENATE BILL 192 PASSED DURING THE &0TH 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 |
| July 1, 2024 | \$11.00 | \$12.00 |

Assembly Bill 456 https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6870/Tex

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

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

Daily Overtime Bulletin

Rules to be Observed

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 WORKWEK 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, 2022.

EMPLOYEES WHO EARN LESS THAN \$14.25 PER HOUR (OFFERED QUALIFIED HEALTH BENEFITS) OR LESS THAN \$15.75 PER HOUR (NOT OFFERED QUALIFIED HEALTH BENEFITS) ARE ELIGIBLE FOR OVERTIME AT ONE AND A HALF TIMES THE EMPLOYEE'S REGULAR RATE OF PAY FOR:

► OVER 8 HOURS OF WORK IN A 24-HOUR PERIOD; OR ► OVER 40 HOURS OF WORK IN A WORK WEEK.

EMPLOYEES THAT MAKE MORE THAN THE HOURLY RATES ABOVE ARE ELIGIBLE FOR OVERTIME AT ONE AND A HALF TIMES THE EMPLOYEE'S REGULAR RATE OF PAY FOR OVER 40 HOURS OF WORK IN A WORK WEEK. THE EMPLOYER MUST VERIFY THE RATES ABOVE \$14.25 PER HOUR AND \$15.75 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.

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

Department of Business & Industry OFFICE OF THE LABOR COMMISSIONER

DOMESTIC VIOLENCE BULLETIN

NRS 608.0198

STATE OF NEVADA

MCO/Health Care Provide

STATE OF NEVADA NURSING MOTHER'S ACCOMMODATION ACT Effective July 1, 2017, as set forth in Assembly Bill 113 approved during the 2017 Legislative Session, Nevada Revised Statutes (NRS) section 608 governing Private Employers is hereby amended with a new section as follows:

City

City

https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB113_EN.pd Requirements of Assembly Bill 113:

Texcept as otherwise provided in subsections 3, 5 and 6 (see below), each employer shall provide an employee who is the mother of a child under 1 year of age with: (a) Reasonable break time, with or without compensation, for the employee to express breast milk as

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

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

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

(a) Taken break time or used the space provided pursuant to subsection 1 or 3 to express breakt milk; or
 (b) Taken any action to require the employer to comply with the requirements of this section, including,

ee who has been employed by an employer for at 90 days and who is a victim of an act which

An employee who has been employed by an employer for at 90 days and who is a victim or an act which constitutes domestic violence, or whose family or household member is a victim of an act which constitutes domestic violence, and the employee is not the alleged perpetrator, is entitled to not more than 160 hours of leave in one 12-month period. Hours of leave provided pursuant to this subsection:
 (a) May be paid or unpaid by the employer;
 (b) Must be used within the 12 months immediately following the date on which the act which constitutes domestic violence occurred;

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

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

dditional hours of leave for any purpose listed in paragraph (a).

2. An employee may use the hours of leave pursuant to subsection 1 as follows: (a) An employee may use the hours of leave only: (1) For the diagnosis, care 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 employee; (3) To participate in court proceedings related to an action which constitutes domestic violence committed against the employee or a family or household member of the employee; (4) To establish a safety plan, including, without limitation, any action to increase the safety of the employee or the family or household member of the employee from a future act which constitutes domestic violence, an employee shall give not less than 48 hours advance notice to his or her employee of the need to use ariditional hours of leave upon the source notice to his or her employee of the need to use ariditional hours of leave tor any nurnose listed in paragraph (a).

without limitation, filing a complaint, testifying, assisting or participating in any manner in an investigation proceeding or hearing to enforce the provisions of this section.

Zip

Zip

Exceptions (set forth in subsections 3, 5, and 6 of Assembly Bill 113): exceptions (set torth in subsections 3, 5, and 6 of Assembly Bill 113): 3. If an employer determines that complying with the provisions of subsection 1 will cause an undue hardship considering the size, financial resources, nature and structure of the business of the employer, the employer may meet with the employee to agree upon a reasonable alternative. If the parties are not able to reach an agreement, the employer may require the employee to accept a reasonable alternative selected by the employer.

Nursing Mothers

Contact Perso

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

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

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

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

1818 College Parkway, Suite 102 Carson City, Nevada 89706 (775) 684-1890

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

BRIAN SANDOVAL GOVERNOE

C. J. MANTHE DIRECTOR

SHANNON M. CHAMBERS LABOR COMMI

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

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

Domestic Violence Victims

3. An employer shall not: (a) Deny an employee the right to use hours of leave in accordance with the conditions of this section; (b) Require an employee to find a replacement worker as a condition of using hours of leave; or (c) Retailate against and employee for using hours of leave.

4. The employer of an employee who takes hours of leave pursuant to this section may re • The employee to an employee to who takes nouts to test pulsation 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 vicinis of domestic violence or documentation from a physician. Any documentation provided to an employer pursuant to this subsection is confidential and must be retained by the employer in a manner consistent with the requirements of the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et seq.

5. The Labor Commissioner shall prepare a bulletin which clearly sets forth the right to the benefits created by this section. The Labor Commissioner shall post the bulletin on the Internet website maintained by the Office of Labor Commissioner, if any, and shall require all employers to post the bulletin in a conspicuous location in each workplace maintained by the employer. The bulletin may be included in any printed abstract posted by the employer pursuant to NRS 608.013.

6. An employer shall maintain a record of the hours of leave taken pursuant to this section for each employee for a 2-year period following the entry of such information in the record and, upon request, 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 excert and the table. equest, shall 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 aggreved party.
 (c) Prohibit, preempt or discourage any contract or other agreement that provides a more generous leave benefit or paid leave benefit.

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

(d) print change of the adult person who is related within the first degree of consanguinity or affinity to the employee, or other adult person who is or was actually residing with the employee at the time of the act which constitutes domestic violence.

Pursuant to NRS 608.195 (except as otherwise provided in NRS 608.0165) any person who violates provisions of NRS 608.005 to 608.195 inclusive is guilty of a misdemeanor. In addition to any other remed or penalty, the Labor Commissioner may impose against the person an administrative penalty of not more than \$5,000 for each violation. OLC 2019

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

OFFICE OF THE LABOR COMMISSIONER 3300 WEST SAHARA AVENUE, SUITE 225 LAS VEGAS, NEVADA 8910 PHONE: (702) 486-2650 FAX (702) 486-2660

STEVE SISOLAK

MICHAEL J. BROWN DIRECTOR

SHANNON M. CHAMBER LABOR COMMISSIONER

Discrimination

DISCRIMINATION HAS NO PLACE IN THE WORKPLACE The State of Nevada prohibits discrimination based on race, color, religion, sex, national origin, pregnancy, age, disability, sexual orientation, genetic informatio gender identity or expression, domestic relations and compensation or wages in any terms, conditions or privilege of employment.

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

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

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 employment practices based on pregnancy, childbirth, or a related medical condition. The active the Act, it is unlawful for employeers 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 impose an undue hardship on the business of the employeer. • Take adverse employment actions against a female employee or applicant based on a need for a reasonable accommodation. • 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 chooses not to accept or to take leave from employment if an accommodation is available. **Under the act, an employer may:** Require a female employeer may:

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.

OFFICE OF THE LABOR COMMISSIONER

3300 WEST SAHARA AVENUE, SUITE 225 LAS VEGAS, NEVADA 89102

1818 E. COLLEGE PARKWAY, SUITE 102

ARSON CITY, NEVADA 89706

TELEPHONE: (775) 684-1890 FACSIMILE: (775) 687-6409

TELEPHONE: (702) 486-2650 FACSIMILE: (702) 486-2660

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/ROPERTY THESE RULES TO BE OBSERVED BY NEVADA EMPLOYER'S SUMMARIZING NEVADA WAOE 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 4-11-2022

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

7. Every employer shall establish and maintain records of wages for the benefit of his employees, showing for each pay period the

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

8. Wages must be paid semimonthly or more often

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

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

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

2. Quitting employee: Whenever an employee resigns or quits his employment, the wages and compensation earned and unpaid at the time of his resignation or quitting must be paid 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.

4. Effective July 1, 2022, each employer shall pay a wage to each employee of not less than \$9.50 per hour worked if the employer offers qualified health benefits, or \$10.50 per hour if the employer does not offer qualified health benefits. Offering health benefits means making qualified health benefits and 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 of the ab role of the dest or the 10 percent premium for qualified health benefits. See https://labor.nv.gov/Employer/Employer_Posters/ for Annual Minimum Wage notice.

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 hours per day for 4 calendar days within any scheduled week of work.

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

The above provisions do not apply to: (a) Employees who are not covered by the minimum wage provisions of the Constitution (b) Outside buyers; (c) Employees in a retail or service business if their regular rate is more than 1 ½ times the minimum wage, and more than half their compensation for a representative period comes from commissions on goods or services, with the representative period being, to the extent allowed pursuant to federal law, not less than one month; (d) Employees who are employed in bona fide executive, administrative or professional capacities; (e) Employees covered by collective bargaining agreements which provide otherwise for overtime; (f) Drivers, drivers; helpers, loaders and mechanics for motor carriers subject to the Motor Carrier Act of 1935, as amended; (g) Employees of a railroad; (h) Employees of a carrier bas or drivers' helpers making local deliveres and paid on a trip-rate hesis or other delivery output (i) Drivers of drivers' helpers making local deliveres of the insert. (g) Employees of a laincad, (ii) Employees of a carrier by air. (i) Drivers of anyets helpets maning local orderines and paid on a up-rate basis or other delivery payment plan; (i) Drivers of taxicabs or linousines; (k) Agricultural employees; (l) Employees of business enterprises having a gross sales volume of less than \$250,000 per year; (m) Any salesman or mechanic primarily engaged in selling or servicing automobiles, trucks or farm equipment; and (n) A mechanic or workman for any hours to which the provisions of subsection 3 or 4 of NRS 338.020 apply. (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 regularl sleeping period not to exceed 8 hours if adequate sleeping facilities are furnished pursuant to NRS section 608.0195

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

not less than the amount of sick leave that the employee accrues during a 6-month period

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 employee shall clean such uniform or accessory without cost to such employee.

13. 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 the employer that he or she is sick or injured and cannot report for work. e to notify

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.

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 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 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 liness, 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 employees 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.go

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

Paid Leave

STEVE SISOLAK

TERRY REYNOLDS Director

SHANNON M. CHAMBER Labor Commissioner

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

5. 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

6. The provisions of this section do not apply: (a) To the extent prohibited by federal law; or (b) With regard to an employee of the employer if the employee is covered under a valid collective bargaining agreement 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 illness, injury, medical appointment or other authorized medical need to the same extent and under the same conditions that

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

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

OFFICE OF THE LABOR COMMISSIONER 3300 W. SAHARA AVE. SUITE 225 LAS VEGAS, NEVADA 89102 PHONE (702) 486-2650 FAX (702 486-2660

Employee Leave & Career Enhance Program

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

STATE OF NEVADA

http://www.labor.nv.gov

Department of Business & Industry OFFICE OF THE LABOR COMMISSIONER

REQUIRED POSTING - ASSEMBLY BILL 190

apply to the employee when taking such leave.

https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7578/Texts

REQUIRED POSTING – ASSEMBLY BILL 307 Effective April 1, 2022 as set forth in Assembly Bill (AB) 307 passed during the 2021 Legislative Session, Nevada Revised Statutes (NRS) section 232 is hereby amended with a new section as follows:

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

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 employeer 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.

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: 1. The Department (Department of Employment, Training and Rehabilitation; DETR) shall prepare one or more notices concerning job training or employment programs conducted by the Department, including, without limitation, the Career Enhancement Program and Nevada JobConnect, and provide 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 programs. This Notice fulfills DETR's April 1, 2022 required reporting:

Employment and Training Program

Employment and Training Programs - Career Enhancement Program (CEP) - https://detr.nv.gov/Page/Career_Enhancement_Program_(CEP) - Nevada JobConnect Career Centers - https://nevadajobconnect.com/Page/Career_Centers o Employment Services - https://detr.nv.gov/Page/Veleran_Services o Veterans Employment Services - https://detr.nv.gov/Page/Veleran_Services o Migrant Seasonal Farm Workers - https://nevadajobconnect.com/Page/Migrant and Seasonal_Farm_Workers o Eigible Training Provider List (ETPL) - https://www.employn.gov/osnet/guest.aspx?guesttype=IND&whereto=ETPLPROGRAMS • Nevadaworks (northern Nevada) - http://nevadaworks.com/service-providers/ • Workforce Connections (southern Nevada) - http://nevadaworkforce.com/

Job Order Posting - <u>https://nevadajobconnect.com/Page/Post_a_Job_Opening</u>
 – Foreign Labor Certification (FLC) - <u>https://nevadajobconnect.com/page/H-2B_Online_Job_Order_Form</u>

- Silver State Works (SSW) - http://silverstateworks.com/ Rapid Response - https://nevadajobconnect.com/Page/Rapid_Response_Business_Closure_Assistance 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) - https://www.dol.gov/agencies/eta/tradeact - Trade Assistance Act (TAA) - https://www.dol.gov/agencies/eta/tradeact - Federal Bonding Program - https://bonds/jobs.com/

 Trade Assistance Act (IAa) - <a href="https://www.uur.gu/ragertowserus.setual-setua

 NV_0412021.pdf

 - Short-term Certificate programs - https://www.tmcc.edu/academics/certifications

 - Bort-term Certificate programs - https://www.employnv.gov/vosnet/Guest.aspx?action=indguest&guesttype=IND&whereto=LEARNING

 - Online Learning Resources - https://www.employnv.gov/vosnet/OnlineLearning/Resources.aspx

 - Nevada's Displaced Homemaker Program - https://dcf.nx.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.employnv.gov/vosnet/loginintro.aspx

Pursuant to the Stevens Amendment (https://www.gao.gov/products/gao-19-282), the employment services and training programs included in this Notice are supported by the Employment and Training Administration (ETA) and Veterans' Employment and Training Service of the U.S. Department of Labor: and the Rehabilitation Services Administration (RSA) of the U.S. Department of Labor. [Funding expenditures authorized by the Nevada Legislature, 81st Session (2021): Senate Bill (S.B.) 459]

SHANNON M. CHAMBER Labor Commissioner

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

OFFICE OF THE LABOR COMMISSIONER 3300 W. SAHARA AVE. SUITE 225 LAS VEGAS, NEVADA 89102 PHONE (702) 486-2650 FAX (702 486-2660

Payday Notice

wages or compensation of employees in private employment is due semi-monthly. All such wages or compensation earned and unpaid before the first day of any month is due not later than 8 a.m. on the ensation was earned. All wages or compensation earned and unpaid before the 16th day of any month is due not later than 8 a.m. on the last day of the same month." The Nevada Revised Statutes Chapter 608.060 states that "...all wages or compensation of employees in private employment is due sem 15th day of the month following that in which the wages or comp

Scheduled paydays: (Indicate the place of payment, the dates of the month for employees paid semi-monthly, and the day of the week for employees paid weekly or at other times.)

_____ SEMI-MONTHLY PLACE OF PAYMENT

WEEKLY OTHER

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 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 provides the employee with written notice of the decrease; or (c) The employer provides the employee with written notice of the decrease of the the decrease that are imposed on the employer and the provisions of any collective harmaning. For further information regarding the Act, contact the Nevada Equal Rights Commission

1820 East Sahara Avenue

Suite 314 Las Vegas, NV 89104 Phone (702) 486-7161

An equal opportunity employer/program. Auxiliary aids and services are available upon request for individuals with disabilities Relay 711 or 800.326.6868

1325 Corporate Blvd. Room 115 Reno, NV 89502 Phone (775) 823-6690

Lie Detector

STATE OF NEVADA Office of the Labor Commissioner NOTICE OF LIMITATIONS AFFECTING THE APPLICATION OF LIE DETECTOR TESTS

To file a claim for unemployment benefits call the Telephone Claim Center: In Southern Nevada call (702) 486-0350 In Northern Nevada call (775) 684-0350 In Rural Nevada call toll-free (888) 890-8211 OR File online at <u>http://ui.nv.gov/</u>

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iurv or illness

To report suspected fraud, go to: https://uifraud.nvdetr.org</u> OR call (775) 684-0475

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

The birth of a child or placement of a child for adoption or foster care:

LEAVE ENTITLEMENTS: Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

To bond with a child (leave must be taken within 1 year of the child's birth or placement); To care for the employee's spouse, child, or parent who has a qualifying serious health condition; For the employee's own qualifying serious health condition that makes the employee unable to perform

For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

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

ness. yee does not need to use leave in one block. When it is medically necessary or otherwise

An employee does not need to be take in one buck. When its includary needsaly to dure was permitted, employees may take leave intermittently or on a reduced Schedule. Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the

leave. If an employee substitutes activate bar have on the leave, employers must continue health employer's normal paid leave policies. BENEFITS & PROTECTIONS: While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

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

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

Pregnant Workers Fairness Act

ment 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 employe

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

<u>To be eligible for unemployment benefits an unemployed person must:</u> 1. Be unemployed through no fault of your own and meet all other conditions of the law regarding unemployment benefits 2. File a claim online or with the Nevada Telephone Claim Center. 3. Be physically able to work. 4. Be available and willing to accept suitable employment if offered. 5. Make a reasonable and sincere effort to find a job.

asons an unemployed person may not be eligible for unemployment benefits are: 1. Separation from employment due to quitting without good cause.
2. Being discharged for misconduct in connection with your work.
3. Refusal of an offer of suitable work without good cause.
4. Giving misinformation or withholding information about the reason for separation from your job.
5. Failure to properly report wages.

Family Medical Leave Act

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT.

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIV

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to The result information index leave, index employees must be resided to the same jub to the relaring demicant it with equivalent pay, benefits, and other employment terms and conditions. An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

proceeding under or related to the PMLA. ELIGBILITY REQUIREMENTS: An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must: + Have worked for the employer for at least 12 months; + Have at least 1,250 hours of service in the 12 months before taking leave;* and

• Work at a location where the employer has at least 50 employees within 75 miles of the employee's Special "hours of service" requirements apply to airline flight crew employees.

REQUESTING LEAVE: Generally, employees must give 30-days advance notice of the need for FMLA leave. If it is not possible to give 30-days notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures. Employees do not have to share a medical diagnosis, but must provide enough information to the employer

Employees do not nave to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicati ormation is requ

EMPLOYER RESPONSIBILITIES: Once an employer becomes aware that an employee's need for leave is EMPLOYER RESPONSIBILITIES: Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee's fit her or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility. Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

will be designated as FMLA leave. ENFORCEMENT: Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMI A does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that pro des greater family or medical leave righ

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 Division

Office of Special Counsel

USERRA

ESGR EMPLOYER SUPPORT OF THE GUARD AND RESERVE dependents for up to 24 months while in the military. • Even if you don't elect to continue coverage during your military service, you have the right to be reinstate 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 nected illnesses or injuries.

ENFORCEMENT

• 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 <u>https://www.dol.gov/agencies/</u> vets/. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vets/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 represe also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in co 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/vets/programs/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 notices for employees.

Notice of Withholding

YOU MAY NEED TO CHECK YOUR WITHHOLDING

U.S. Department of Justice 1-866-487-2365 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 positions 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 the 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 uniformed service and: * you ensure that your employer receives advance written or verbal notice of your service; • you have five years 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 separated from service with a disqualifying discharge or under other than honorable conditions.

. If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your

Notice to Employer

vee is Sick or Su

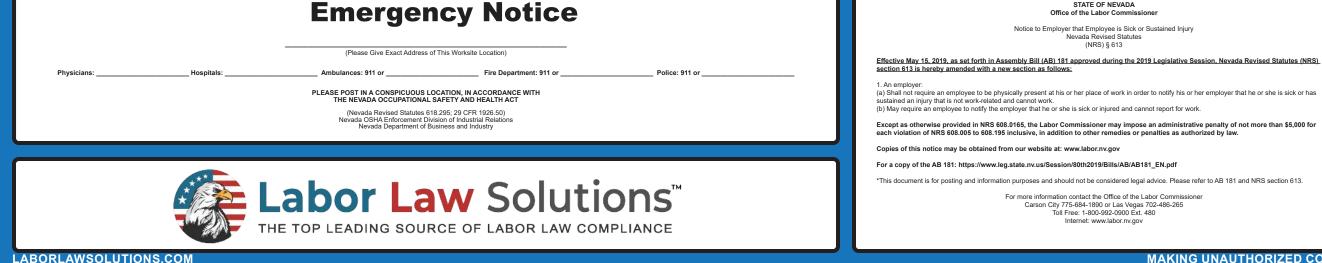
702-486-265

STATE OF NEVADA Office of the Labor Commis

For more information contact the Office of the Labor Comm Carson City 775-684-1890 or Las Vegas 702 Toll Free: 1-800-992-0900 Ext. 480 Internet: www.labor.nv.gov

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you 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 you: • initial employment; • reemployment; • retention in employment; • promotion; or • any benefit of employment because of this status.

HEALTH INSURANCE PROTECTION



/v-4 with your employer ald yo

Marry or divorce? Gain or lose a dependent? Change your name?

Were there major changes to ...

Your nonwage income (interest, dividend, capital gains, etc.)? Your family wage income (you or your spouse started or ended a job)? Your itemized deductions? Your tax credits?

If you can answer "yes" ...

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/ individuals on the IRS website.

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

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