NEVADA LABOR LAW POSTINGS

(PART 1 OF 2)



EMPLOYEE SICK OR SUSTAINED INJURY

STATE OF NEVADA Office of the Labor Commissioner



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

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

Except as otherwise provided in NRS 608.0165, the Labor Commissioner may impose an administrative penalty of not more than \$5,000 for each violation of NRS 608.005 to 608.195 inclusive, in addition to other remedies or penalties as authorized by law. Copies of this notice may be obtained from our website at: www.labor.nv.gov

For a copy of the AB 181: https://www.leg.state.nv.us/Session/80th2019/Bills/AB/AB181 EN.pdf

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

PAID LEAVE

STATE OF NEVADA Office of the Labor Commissioner



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

Except as otherwise provided in Senate Bill (SB) 312, every employer in private emplemployees shall provide paid leave to each employee of the employer as follows:

- An employee is entitled to at least 0.01923 hours of paid leave for each hour of work performed
- 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.
- 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.
 - obyer may set a nintmum incement of paid leave, not to exceed a hours that an employer may use at any one time, employer shall provide to each employee on each paday an ecocuming of the hours of paid leave vasibles for use by pipicyee. An employer may use the system that the employer uses to pay its employees to provide the accounting of the of paid leave vasibilities for use by the employee.
 - 2. An employer may, but is not required to, compensate an employee for any unused goal tensor evalidate for use by that employee upon apparation from employment, covered if the employee is exherted by the employer within 00 days after separation from the employer and the separation from employment was not due to the employee voluntarily tension from the employer and the separation from employment was not due to the employee voluntarily tension for her employment, any previously unused paid leave hours available for use by that employee must be reinstated.
- An employee in private employment may use paid leave available for use by that employee as follows:

 1. An employer shall allow an employee to use paid leave beginning on the 90th calendar day of his or her eight
- 2. An employee may use paid leave available for use by that employee without providing a reason to his or her employer for such use. 3. An employee shall, as soon as practicable, give notice to his or her employer to use the paid leave available for use by that
- 4. An employer shall not: deny an employee the right to use paid leave available for use by that employee in accordance with the conditions of this section; require an employee to find a replacement worker as a condition of using paid leave available for use by that employee; or retailate against an employee for using paid leave available for use by that employee.
- An employer shall maintain a record of the receipt or accrual and use of paid leave pursuant to this section for each employee for a 1-year period following the entry of such information in the record and, upon request, shall make those records available for inspection by the Labor Commissioner.
- For the first 2 years of operation, an employer is not required to comply with the provisions of this section
- This section does not apply to: (a) An employer who, pursuant to a contract, policy, collective bargaining agreement or other agreement, provides employees with a policy for paid aleave or a policy for paid time off to all scheduled employees at a rate of at least 0.01935 hours of paid leave per hour of work performed; and (b) Temporary, seasonal or no-call employees.

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

Copies of this notice may be obtained from our website at: www.labor.nv.gov For a copy of the SB 312: https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6553/Overview

*This bulletin is a summary of SB 312. It is for posting and information purposes and should not be considered legal advice-refer to SB 312 and NRS section 608 for further details.

For more information contact the Office of the Labor Commiss Carson City 775-684-1890 or Las Vegas 702-486-265

MINIMUM WAGE

RULES TO BE OBSERVED BY EMPLOYERS

PLEASE NOTE: Every person, firm, association or corporation, or any agent, servant, employee, or officer of any such firm, association, or 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 required certain safequards as to hours of service, working conditions and compensation therefore.

Quitting employee: Whenever an employee resigns or quits his employment, the wages and compensation earned and unpaid at the time of his resignmust 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.

quiting must be paid so later than the cap of whitsche we would have regularly been paid of of any site for evengin or quite, whethere is extract.

An employee final not employ, an employee fin a continuous period of 8 hours whosh permitting the employee to have on uniterrupted meal period of a fact of the contract o

Effective July 1, 2023, each employer shall pay a wage to each employee of not less than \$10.25 per hour worked if the employer offers qualified health benefits, of \$11.25 per hour if the employer shall pay a wage to each employee of not less than \$10.25 per hour worked if the employer offers qualified health benefits, officing health benefits means making qualified health benefits available to the employee of the employee and propose of promeins of not more than 10 percent of the employee state the employee and the employee and propose of promeins of not more than 10 percent of the employee state and the employee and the emplo er shall pay 1 1/2 times

(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 agrowrks 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 mini works more than 40 hours in any scheduled week of work. See https://labor.nv.gov/Employer/Employer/Posters/ for Annual Daily Overtime notice.

works more than 40 hours in any scheduled week of work. See https://lubern.gov/Employer/Posters for Annual Daily Overtime notice. The devoyer positions of not apply to (a) Employees who are not covered by the minimum wage provisions of the Constitution (b) Ottoide buyer Employees in a retail or service business if their regular rate is more than 1½ times the minimum wage, and more than half their compensation representative period being, for the extert allowed persuants to federal hall leas than one month; (d) Employees who are employed in boas fide executive, administrative or professional capacities; (e) Employees covered by colle bugginging agreements which provide otherwise for overtime; (D) Privers, drivers' holpers, loaders and mechanics for motor carriers subject to the Carrier Act of 1935, as amended; (g) Employees of a ratinose; (h) Employees of a carrier by air; (d) Drivers or drivers' helpers making local deliveries paid on a trip-rate basis or other delivery poyment play; (f) Drivers of thicker's of liminosis; (d) Agricultural employees; (f) Employees of the carrier by air; (d) Drivers of the control o

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

roms or accessories distinctive as to style, color or material shall be furnished, without cost, to employees by their employer. If a uniform or accessory exial elemine process, and cannot be easily laundered by an employee, such employee's employer shall clean such uniform or accessory without cost

: (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 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

An employer in private employment with not less than 50 employees shall provide pail leave to each employee of the employer pursuant to the provisions of Section 606.01973 as follows: A. An employee is entitled to at least 0.01923 hours of paid leave for each bone of work performed. B. Paid leave accrued many yearer for each employee between his or her benefit years of employment, except an employer may limit the amount of paid leave for each thours of work performed. B. Paid leave accrued many year 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 to a maximum of able bones per hearfit year. CA not employer shall (1) Compensate an employee for the paid leave for each employee carried of pay at which the employee is compensated at the time such leave in latter, and (2) Fay such compensation on the same paylog as the bonn taken are adult paid. [See NSS excelled 80.01971 as decare like 31.02 [April 20.01971 as feed may 10.01971 as feed to the part of the

in private employment shall post for nequired bulletins and notices svalidable at times <u>allower no out-implicate Employer</u>. Socied as the "Newton Hospitality and Travel Workers Egist to Return Act," requires certain employers to off grid positions to certain retain conditions. This bill requires that certain employees have an opportunity to return to their jobs when circumstances permit. See this link are guadance of the bill. South Bull 130 Fertinismy Conductor (see 2001).

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, probabits an employer or employment agency from relising to interview, hire, promote or employ an applicant of from discriminating or retaliating against an applicant does not provide wage or salary history, SE392 Overview (state, rws.)

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

ANNUAL MINIMUM WAGE BULLETIN

DEPARTMENT OF BUSINESS AND INDUSTRY OFFICE OF THE LABOR COMMISSIONER STATE OF NEVADA MINIMUM WAGE

NEVADA BALLOT QUESTION 2, PASSED NOVEMBER 2022, ELIMINATES TWO-TIER MINIMUM

Effective Date Minimum Wage

PURSUANT TO ARTICLE 15, SECTION 16(A) OF THE CONSTITUTION OF THE STATE OF NEVADA AND ASSEMBLY BILL (AB) 456 PASSED IN 2019 DURING THE 80^{11} REGULAR SESSION OF THE NEVADA LEGISLATURE, THE ABOVE MINIMUM WAGE RATE SHALL APPLY TO ALL EMPLOYEES IN THE STATE OF NEVADA UNLESS OTHERWISE EXEMPTED. THIS RATE IS EFFECTIVE AS OF JULY 1, 2024, AND APPLIES TO ALL EMPLOYEES REGARDLESS OF OFFERED EMPLOYER HEALTH BENEFITS.

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

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

Carson City: 1818 E. College Parkway, Suite 102, Carson Cly, Nevada 89706 - Telephone (775) 684-1890 - Fax (775) 687-6409

Las Vegas: 3340 W. Sehara Avenue, Las Vegas, Nevada 89102 - Telephone (702) 486-2650 - Fax (702) 486-2660

www.labor.nr.oz. mail (§lobor.nr.oz)

PREGNANT WORKERS' FAIRNESS ACT 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 employment practices based on pregnancy, childhirth or a related medical condition

UNDER 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 impose 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 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 applicant did not request or chooses not to accept or to take leave from employment if an accommodation is available. UNDER THE ACT, AN EMPLOYER MAY:

NERC

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 conditions, and the specific accommodation recommended by the physician. FOR FURTHER INFORMATION REGARDING THE ACT, CONTACT

THE NEVADA FOLIAL RIGHTS COMMISSION

www.nvdetr.org

Phone (702) 486-7161 Phone (775) 823-6690

UNEMPLOYMENT INSURANCE

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

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

NOTICE TO EMPLOYEES

The employees of this establishment are protected by Unemployment Insurance. This

employer is required by law to contribute to the Nevada Unemployment Compensation Fund. No part of the contribution is deducted from the wages of

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 EmployNV Career Hub or
- find employment information online at www.EmployNV.gov. If you are disabled and require assistance, contact the Nevada EmployNV Career Hub prior to your visit to arrange special accommodations.

To be eligible for unemployment benefits an unemployed person must:

- Be unemployed through no fault of your own and meet all other conditions of the law regarding unemployment benefits File a claim online or with the Nevada Telephone Claim Center.
- Be physically able to work.
 Be available and willing to accept suitable employment if offered.
 Make a reasonable and sincere effort to find a job.
- ons an unemployed person may not be eligible for unemployment benefits are:
- Separation from employment due to quitting without good cause.
- Separation from temporation and to quiting without good cause.

 Being discharged for misconduct in connection with your work.

 Refusal of an offer of suitable work without good cause.

 Giving misinformation or withholding information about the reas action about the reason for separation
 - from your job. Failure to properly report wages. To file a claim for unemployment nefits call the Telephone Claim Center In Southern Nevada call (702) 486-0350



In Northern Nevada call (702) 400-0530
In Rural Nevada call toll-free (888) 890-8211
OR File online at https://ui.nv.gov/ To report suspected fraud, go





ANNUAL DAILY OVERTIME BULLETIN

STATE OF NEVADA



BRETT HARRIS

OFFICE OF THE LABOR COMMISSIONER

STATE OF NEVADA DAILY OVERTIME 2024 ANNUAL BULLETIN POSTED APRIL 1, 2024

EMPLOYERS MUST PAY 1.5 TIMES AN EMPLOYEE'S REGULAR WAGE RATE WHENEVER AN EMPLOYEE WHO IS PAID LESS THAN 1.5 TIMES THE APPLICABLE MINIMUM WAS RATE WORKS MORE THAN 40 HOURS IN ANY WORKWEEK OR MORE THAN 8 HOURS IN ANY WORKDAY, UNLESS OTHERWISE EXEMPTED. EMPLOYERS SHOULD REFER TO NRS 608.018 FOR FURTHER DETAILS ON OVERTIME REQUIREMENTS.

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

Effective Date	Minimum Wage
July 1, 2024	\$12.00

EFFECTIVE JULY 1, 2024, EMPLOYEES WHO EARN LESS THAN \$18.00 PER HOUR ARE ELIGIBLE FOR OVERTIME AT ONE AND A HALF (1.5) TIMES THE EMPLOYEE'S REGULAR RATE OF PAY FOR:

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

EMPLOYEES THAT MAKE MORE THAN THE HOURLY RATE ABOVE ARE ELIGIBLE FOR OVERTIME AT 1.5 TIMES THE EMPLOYEE'S REGULAR RATE OF PAY FOR OVER 40 $\,$ HOURS OF WORK IN A WORK WEEK.

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

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

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

DOMESTIC VIOLENCE VICTIM'S BULLETIN



DEPARTMENT OF RUSINESS AND INDUSTRY OFFICE OF THE LABOR COMMISSIONER

DOMESTIC VIOLENCE & SEXUAL ASSAULT VICTIMS

LEAVE BULLETIN

Pursuant to Assembly Bill 163 from the 82nd Legislative Session of the Nevada Legislature, NRS 608.0198 is hereby amended to include victims of sexual assault the same employment protections as domestic violence victims. Effective January 1, 2024, NRS 608.0198 reads

An employee who has been employed by an employer for at least 90 days and who is a victim of an act which constitute smestic violence or sexual assault, or whose family or household member is a victim of an act which constitutes domestic violence was also assult, and the employee is not the alleged perpetrator, is entitled to not more than 160 hours of leave in one 12-month perior ours 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 oberec or sexual assult occurred:

(a) May be paid or unpaid by the employer;

(b) Must be used within the 12 months immediately following the date on which the act which constitutes domestic violence or sexual assault countred;

(c) May be used consecutively or intermittently, and

(d) If used for a reason for which serve may as to be taken pursuant to the Family and Medical Leave Act of 1193, 29 U.S.C.

§§ 2.00 (d) If used for a reason for which serve may as to be taken pursuant to the Family and Medical Leave Act of 1193, 29 U.S.C.

§§ 2.01 (d) If used for a reason for which serve may as to be taken pursuant to the 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 the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et. Seq.

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

(1) For the diagnosis, care or treatment of a health condition related to an act which constitutes domestic violence or sexual assault committed against the employee or a family or household member of the employee;

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

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

(3) To participate in court proceedings related to an act which constitutes domestic violence or sexual assault assault committed against the employee or affect of the employee or the family or household member of the employee or the family or household member of the employee or the family or household member of the employee or the family or household member of the employee or the family or household member of the employee or the family or the family or household member of the employee or the family or househ

following the entry of such information in the record and, upon request, shall make those records available for inspection by the Labor Commissioner. The employer shall exclude the names of the employees from the records, unless a request for a record is purpose of an investigation.

(a) Limit or abridge any other rights, remedies or procedures available under the law.

(b) Negate any other rights, remedies or procedures available to an aggrieved party.

(c) Prohibit, preempt or discourage any contract or other agreement that provides a more generous leave benefit or paid leave homofit section:
mestic violence" has the meaning ascribed to it in NRS 33.018.

OLC 02.15.2024

seed in this section:
(a) "Domestic violence" has the meaning ascribed to it in NRS 33.018.
(b) "Family or household member" means a:
(1) Space:
(2) Domestic pathner;
(2) Domestic pathner;
(3) Domestic pathner;
(4) Parent or other adult person who is related within the first degree of consunguinity or affinity to the employee, or other adult person who is or was actually residing with the employee at the time of the act which constitutes domestic violence or secund assault.
(c) "Secural assault" has the meaning ascribed to it in NRS 200.366.

Pursuant to NRS 608.195 (except as otherwise provided in NRS 608.0165) any person who violates provisions of NRS 608.005 to 608.195 inclusives 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 \$5000 for each violation.

 Carson City:
 1818 E. College Parkway, Sulte 102, Carson City, Nevada 89706 - Telephone (775) 684-1890 - Fax (775) 687-6409

 Las Vegas:
 3340 W. Sahara Avenue, Las Vegas, Nevada 89102 - Telephone (702) 486-2650 - Fax (702) 486-2660

 www.labor.nv.gov
 mail (Blabor.nv.gov)

FAIR EMPLOYMENT

NERC

1820 East Sahara Avenue Suite 314 Las Vegas, NV 89104

(702) 486-7161

(775) 823-6690

1325 Corporate Blvd. Room 115, Reno, NV 89502

a division of the Nevada Department of Employment, Training and Rehabilitation

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

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

Relay 711 or 800.326.6868

www.nvdetr.org

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:

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.

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.

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: 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, Sulte 18100, San Francisco, CA

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

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.

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.

Further information and assistance will be provided by Nevada OSHA to employees and employers upon MORE INFORMATION:

ng locations:
Southern Nevada
3360 W. Sahara Avenue, Suite 200
Las Vegas, Nevada 89102
Telephone: (702) 486-9020
Fax: (702) 486-8715

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

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

OSHA, U.S. Department of Labor 90 7th Street Suite 18100

JOE LOMBARDO GOVERNOR

DR. KRISTOPHER SANCHEZ

LIE DETECTOR TEST

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 613.510 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

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

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.

NURSING MOTHER'S ACCOMMODATION



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:

www.leg.state.nv.us/Session/79th2017/Bills/AB/AB113 EN.pdf

(a) Taken break time or used the space provided pursuant to subsection 1 or 3 to express breast milk; or (b) Taken any action to require the employer to comply with the requirements of this section including, without limitation, filing a complaint, testifying, assisting or participating in any man investigation, proceeding or hearing to enforce the provisions of this section.

panies all indusing to read in all agreement, in emproyer imay require the improyee of accept a reasonable alternative selected by the employer. 5. An employer who employs fewer than 50 employees is not subject to the requirements of this section if these requirements would impose an undue hardship on the employer, considering the size, financial resources, nature and structure of the business of the employer.

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 the person that PS 600.6 reach visibilities.

NEVADA LAW PROHIBITS DISCRIMINATION

Nevada Equal Rights Commission

- origin, sex, religion, disability, ancestry, familial status, sexual

An equal opportunity employer/program

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

PROPOSED PENALTY:

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.

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

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

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:

San Francisco, CA 94103 Telephone: (415) 625-2547

STATE OF NEVADA

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.

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

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.

refusal to take any lie detector test.

STATE OF NEVADA NURSING MOTHER'S ACCOMMODATION ACT

Requirements of Assembly Bill 113: T. Except as otherwise provided in subsections 3, 5 and 6 (see below), each employer shall provide an employee who is the mother of a child under 1 year of age with: (a) Reasonable break time, with or without compensation, for the employee to express breast milk as

mulk.

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 employee shall not retaliate, or direct or encourage another person to retaliate, against any employee packers that demands are provided in the property of the provided in the employee because that employee has:

Exceptions (set forth in subsections 3, 5, and 6 of Assembly Bill 113): 3. If an employer determines that complying with the provisions of subsection 1 will cause an undue hardship considering the size, financial resources, nature and structure of the business of the employer, the employer may meet with the employer 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 of the structure of the the structure of the st

the employer.

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

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 or

orientation, or gender identity or expression.

PROPOSED PENALTY:

The Act provides for mandatory penalties against employers of up to \$16,131 for each serious violation and for optional penalties of up to \$16,131 for each nonserious violation. Penalties of up to \$16,131 per day may be proposed for failure to correct violations within the proposed time period. Also, any employer who willfully or repeatedly violates the Act may be assessed penalties of up to \$161,323 for each such violation. Criminal penalties are also provided for in the Act.

Penalties may be proposed for public employers.

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

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

(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

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

3340 West Sahara Avenue Las Vegas, Nevada 89102 (702) 486-2650