Nevada State Postings

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BRETT HARRIS, Labor Commissioner

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STATE OF NEVADA • DEPARTMENT OF BUSINESS & INDUSTRY
OFFICE OF THE LABOR COMMISSIONER

REQUIRED POSTING
ASSEMBLY BILL 307

Effective July 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:

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 EmployNV Business/Career Hubs 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 or the following job training and employment programs. This Notice fulfills DETR's July 1, 2024, required reporting:

Employment and Training Programs

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

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

Employment Services - https://employnv.gov

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

Migrant Seasonal Farm Workers (MSFW) - https://www.employnv.gov/vosnet/gotojob/documentreview.aspx?enc=s0YLzxCt++EmSyMQXt2H1A==

Eligible Training Provider List (ETPL) - https://www.employnv.gov/vosnet/Guest.aspx?questtype=IND&whereto=ETPLPROGRAMS

- **Nevadaworks** (northern Nevada) - http://nevadaworks.com/service-providers/
- **Workforce Connections** (southern Nevada) - https://workforceconnections.org/system-partners/eligible-training-provider-list-etpl/

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

Business Services

Job Order Posting - https://employnv.gov

Foreign Labor Certification (FLC) - https://detr.nv.gov/Page/H-2B_Online_Job_Order_Form

Silver State Works (SSW) - http://employnv.gov/vosnet/gotojob/documentview.aspx?enc=v-Xn98+WQY8hMnIkSr1SOqg==

Rapid Response - https://detr.nv.gov/Page/Employment_Security_Division_Rapid_Response

Work Opportunity Tax Credit (WOTC) https://detr.nv.gov/Page/Work_Opportunity_Tax_Credit

Other Employment and Training Services

Nevada Employment and Eligibility Assessment Initiative (REAvi)/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

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

Vocational Rehabilitation - https://detr.nv.gov/Page/Rehabilitation_Division_Bureau_of_Vocational_Rehabilitation

Short-term Training programs - https://www.employnv.gov/vosnet/gotojob/trainlaravailuploads/Short%20Term%20Training_NV_04142021.pdf

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

Education and Training - https://www.employnv.gov/vosnet/Guest.aspx?action=IndguestSubquestype=IND&whereto=LEARN1NG

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

Nevada's Displaced Homemaker Program - https://detr.nv.gov/Page/Displaced_Homemakers_Program

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.) 458]

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STATE OF NEVADA
Department of Business & Industry
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REQUIRED POSTING
ASSEMBLY BILL 190

https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7579/Text#
Effective October 1, 2021, as set forth in Assembly Bill 190 a new section is added to Chapter 608 of NRS

Section 1. Chapter 608 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in this section, each employer that provides paid or unpaid sick leave for the use of his or her employees, the employer must allow an employee to use any accrued sick leave to assist a member of the immediate family of the employee who has an illness, injury, medical appointment or other authorized medical need to the same extent and under the same conditions that apply to the employee when taking such leave.

2. An employer may limit the amount of sick leave that an employee may use pursuant to subsection 1 to an amount which is equal to not less than the amount of sick leave that the employee accrues during a 6-month period.

3. The Labor Commissioner shall prepare a bulletin which clearly sets forth an explanation of the provisions of this section. The Labor Commissioner shall post the bulletin on the Internet website maintained by the Office of the Labor Commissioner and shall require each employer that provides sick leave to employees to post the bulletin in a conspicuous location in each workplace maintained by the employer. The bulletin may be included in any employee handbook posted by the employer pursuant to NRS 608.015.

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, prevent or discourage any contract or other agreement that provides a more generous sick leave benefit or paid time off benefit; or (d) Extend 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 right afforded by this section.

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.

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.

NOTICE OF LIMITATIONS AFFECTING THE APPLICATION OF LIE DETECTOR TESTS

NRS 613.480(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 employee will also request a polygraph examination administered by a qualified person with regard to prospective employees who would be employed to protect certain kinds of sensitive or valuable property or facilities. The use of a polygraph examination is also permitted to employers in businesses that handle controlled substances.

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

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

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

STATE OF NEVADA Office of the Labor Commissioner — *For additional information contact our offices at 702-486-2650 in Las Vegas or 775-684-1890 in Carson City or via Email at mail1@labor.nv.gov*

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

DOMESTIC VIOLENCE & SEXUAL ASSAULT VICTIMS' LEAVE BULLETIN

EFFECTIVE January 1, 2024

Pursuant to Assembly Bill 103 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 as follows:

1. An employer who has been employed by an employer for at 90 days and who is a victim of an act which constitutes domestic violence or sexual assault, or whose family or household member is a victim of an act which constitutes domestic violence or sexual assault, and the employee is not the alleged perpetrator, is entitled to not more than 160 hours of leave in one 12-month period. Hours of leave provided pursuant to this subsection:

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

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

(c) May be used consecutively or intermittently; and

(d) If used for a reason for which leave may also be taken pursuant to the Family and Medical Leave Act of 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 employer 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 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 act which constitutes domestic violence or sexual assault committed against the employee or a family or household member of the employee;

(4) To establish a safety plan, including, without limitation, any action to increase the safety of the employee or the family or household member of the employee from a future act which constitutes domestic violence or sexual assault;

(b) After taking any hours of leave upon the occurrence of the action which constitutes domestic violence, an employer shall give not less than 48 hours advance notice to his or her employer of the need to use additional hours of leave for any purpose listed in paragraph (a).

3. An employer shall not:

(a) Deny an employee the right to use hours of leave in accordance with the provisions of this section;

(b) Require an employee to find a replacement worker as a condition of using hours of leave; or

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

4. The employer of an employee who takes hours of leave pursuant to this section may require the employee to provide to the employer documentation that confirms or supports the reason the employee provided for requesting leave. Such documentation may include, without limitation, a police report, a copy of an application for an order for protection, an affidavit from an organization which provides services to victims of domestic violence or sexual assault or documentation from a physician. Any documentation provided to an employer pursuant to this subsection is confidential and must be retained by the employer in a manner consistent with the requirements of the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et seq.

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

6. An employer shall maintain a record of the hours of leave taken pursuant to this section for each employee for a 2-year period following the entry of such information in the record and, upon request, shall make those records available for inspection by the Labor Commissioner. The employer shall exclude the names of the employees from the records, unless a request for a record is for the purpose of an investigation.

7. The provisions of this section do not:

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

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

(c) Prohibit, preempt or discourage any contract or other agreement that provides a more generous leave benefit or paid leave benefit.

8. As used in this section:

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

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

(1) Spouse;

(2) Domestic Partner;

(3) Minor child; or

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

(c) "Sexual assault" has the meaning ascribed to it in NRS 200.366.

Pursuant to NRS 608.195 (except as otherwise provided in NRS 608.0185) any person who violates paragraph (a) of NRS 608.090 or NRS 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.

02.15.2024

EMERGENCY PHONE NUMBERS FOR

_____
(Please Give Exact Address of This Worksite Location)

Physicians: _____

Hospitals: _____

Ambulances: 911 or _____

Fire Department: 911 or _____

Police: 911 or _____

PLEASE POST IN A CONSPICUOUS LOCATION, IN ACCORDANCE WITH THE NEVADA OCCUPATIONAL SAFETY AND HEALTH ACT (Nevada Revised Statutes 618.295; 29 CFR 1926.50)

Nevada OSHA Enforcement
Division of Industrial Relations
Nevada Department of Business and Industry

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

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

- 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.EmployNVgov. 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:

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

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

1. Separation from employment due to quitting without good cause.
2. Being discharged for misconduct in connection with your work.
3. Refusal of an offer of suitable work without good cause.
4. Giving misinformation or withholding information about the reason for separation from your job.

DETR Nevada Department of Employment, Training and Rehabilitation — EmployNV Career Hub — A Career Hub Connected to Your Community

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

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 (800) 992-9211
Or File online at http://ui.nv.gov/

To report suspected fraud, go to: https://ui.fivebit.org/form/fraud OR call (775) 684-0475 (Rev 12/23)

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, childbirth, 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:

Require a female employee to submit written medical certification from the employee's physician addressing 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 Equal Rights Commission.

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

NERC Nevada Equal Rights Commission — www.nvdetr.org
1820 East Sahara Avenue, Suite 314, Las Vegas, NV 89104, Phone: (702) 486-7161
1325 Corporate Blvd., Room 115, Reno, NV 89502, Phone: (775) 823-6690

Nevada Equal Rights Commission

Nevada Law Prohibits Discrimination

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

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

NERC Nevada Equal Rights Commission — 1820 East Sahara Avenue, Suite 314, Las Vegas, NV 89104, (702) 486-7161; 1325 Corporate Blvd., Room 115, Reno, NV 89502, (775) 823-6690

An equal opportunity employer/program
Auxiliary aids and services are available upon request for individuals with disabilities (Rev 12.14)
Relay 711 or 800.326.6868 • www.nvdetr.org

WORKERS' COMPENSATION
Notice to Employers / Employees

This is not intended to represent the law, nor does it replace any Workers' Compensation posting requirements within your state.

Employers: Please see notice of compliance/certificate of insurance from your Workers' Compensation Laws from your insurance carrier next to this poster.

Employees: Refer to notice of compliance/certificate of insurance from your Employer's Insurance Carrier. If you have any further inquiries, please contact your personnel office.

This Posting Is for Informational Purposes Only

Notice to Employers / Employees

Your state has its own minimum wage law which requires posting a notice regarding the aspects of that law. Employers are still required to post the federal Minimum Wage notice from the U.S. Dept. of Labor Fair Labor Standards Act in addition to this state posting. According to the Dept. of Labor, where federal and state law have different minimum wage rates, the higher standard applies.

This Posting Is for Informational Purposes Only

RULES TO BE OBSERVED BY EMPLOYERS

EVERY EMPLOYER SHALL POST AND KEEP POSTED IN A VISIBLE AND OPEN AREA FOR EMPLOYEES ON THE EMPLOYER'S PREMISES/PROPERTY THESE RULES TO BE OBSERVED BY NEVADA EMPLOYERS SUMMARIZING NEVADA WAGE AND HOUR LAWS PURSUANT TO NEVADA REVISED STATUTES (NRS) AND NEVADA ADMINISTRATIVE CODE (NAC) SECTIONS 607 AND 608

Summary of NRS and NAC Provisions and should not be considered legal advice - REVISED 01/01/2024

PLEASE NOTE: Every person, firm, association or corporation, or any agent, servant, employee, or officer of any such firm, association, or corporation, who violates any of the 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 every person employed in this state or 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 must be given safeguards as to hours of service, working conditions and compensation therefore."

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 not later than the day on which he would have regularly been paid or 7 days after he resigns or quits, whichever is earlier.

3. An employer shall not employ an employee for a continuous period of 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, 2023, each employer shall pay a wage to each employee of not less than $12.25 per hour whether or not the employer offers qualified health benefits, or $11.25 per hour if the employer does not offer qualified health benefits. Offering health benefits means providing qualified health benefits available to the employee for the employee and the employee's dependents at a total cost to the employee for premiums of not more than 10 percent of the employee's gross taxable income from the employer. Tips or gratuities received by employees shall not be credited as being any part of or offset against the minimum wage rates or the 10 percent premium for qualified health benefits. See https://labor.nv.gov/Employer/Employer_Posters/ for Annual Minimum Wage notice.

5. Effective July 1, 2024, each employer shall pay a wage to each employee of not less than $12.00 per hour whether or not: Pursuant to Article 15, Section 16(a) of the Constitution of the State of Nevada, and Assembly Bill (AB) 456 passed in 2019 during the 80th regular session of the Nevada Legislature, the above minimum wage rate shall apply to all employees in the State of Nevada unless otherwise exempted. This rate applies to all employees regardless of offered employer health benefits.

6. An employer shall pay 1½ times an employee's regular wage rate whenever an employee whose wage rate is less than 1½ 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 1½ times an employee's regular wage rate whenever an employee whose wage rate is 1½ 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 1½ times the minimum wage, and more than half their compensation for a representative period comes from commissions on goods or services, with the representative period being, to the extent allowed pursuant to federal law, not less than one month; (d) Employees who are employed in bona fide executive, administrative or professional capacities; (e) Employees covered by collective bargaining agreements which provide otherwise for overtime; (f) Drivers, drivers' helpers, loaders and mechanics for motor carriers subject to the Motor Carrier Act of 1935, as amended; (g) Employees of a railroad; (h) Employees of a carrier by air; (i) Drivers or drivers' helpers making local deliveries and paid on a trip-rate basis or other delivery payment plan; (j) Drivers of taxicabs or limousines; (k) Agricultural employees; (l) Employees of business enterprises having a gross sales volume of less than $250,000 per year; (m) Any salesman or mechanic primarily engaged in selling or servicing automobiles, trucks or farm equipment; 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.

7. 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.

8. Every employer shall establish and maintain records of wages for the benefit of his employees, showing for each pay period the following information for each employee: (a) Gross wage or salary; (b) Deductions agreed to in writing by the employer and employee for a specific purpose, pay period, and amount; (c) Net cash wage or salary; (d) Total hours employed in the pay period by noting the number of hours per day; (e) Date of payment.

9. Wages must be paid semimonthly or more often.

10. Every employer shall establish and maintain regular paydays and shall post a notice setting forth those regular paydays in 2 conspicuous places. After an employer establishes regular payday 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.

11. It is unlawful for any person to take all or part of any tips or gratuities bestowed upon his employees. Nothing contained in this section shall be construed to prevent such employees from entering into an agreement to divide such tips or gratuities among themselves.

12. An employer may not require an employee to rebate, refund or return any part of his or her wage, salary or compensation. Also, an employer may not withhold or deduct any portion of such wages, salary or compensation for the benefit of, and authorized by written order of the employee. Further, it is unlawful for any employer who has the legal authority to decrease the wage, salary or compensation of an employee to implement such a decrease unless: (a) Not less than 7 days before the employee performs any work at the decreased wage, salary or compensation, the employer provides the employee with written notice of the decrease; or (b) The employer complies with the requirements relating to the decrease that are imposed on the employer pursuant to the provisions of any collective bargaining agreement or any contract between the employer and the employee.

13. All uniforms or accessories distinctive as to style, color or material shall be furnished, without cost, to employees by their employer, if a uniform or accessory requires a special cleaning process, and cannot be easily laundered by an employee, such employee's employer shall clean such uniform or accessory without cost to such employee.

14. An employer: (a) Shall not require an employee to be physically present at his or her place of work in order to notify his or her employer that he or she is sick or has sustained an injury that is not work-related and cannot work; (b) May require an employee to notify the employer that he or she is sick or injured and cannot report for work.

15. An employer in private employment with not less than 50 employees shall provide paid leave to each employee of the employer pursuant to the provisions of 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)

16. 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/7570/Text#

17. NRS section 608.0197 subsection 2(b) states: An employer shall allow an employee to use paid leave for any use, including, without limitation: (1) Treatment of a mental or physical illness, injury or other health condition. (2) Receiving a medical diagnosis or medical care. (3) Receiving or participating in preventative care. (4) Participating in proceedings concerning other personal needs related to the health of the employee. (See Senate Bill 208 – 2021 Legislative Session)

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

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

20. 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 pdate.nv.us

For additional information please visit **WWW.LABOR.NV.GOV**

NEVADA SAFETY AND HEALTH PROTECTION ON THE JOB

The Nevada Occupational Safety and Health Act, NRS Chapter 618, provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State of Nevada. Requirements of the Act include the following:

EMPLOYERS:

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

EMPLOYEES:

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

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

INSPECTION:

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

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

COMPLAINT:

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

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

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

CITATIONS:

If upon inspection Nevada OSHA believes an employer has violated the Act, a citation alleging such violations will be issued to the employer. Each citation will specify a time period within which the alleged violation must be corrected.

The Nevada OSHA citation must be prominently displayed at or near the place of alleged violation for three days, or until it is corrected, whichever is later, to warn employees of dangers that may exist there.

PROPOSED PENALTY:

The Act provides for mandatory penalties against employers of up to $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. 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) 486-8715

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

NOTE:

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

OSHA, U.S. Department of Labor
90 7th Street
Suite 18100
San Francisco, CA 94103
Telephone: (415) 625-2547

EMPLOYERS: This poster must be displayed prominently in the workplace. (Rev. 1-24)

C0724

NEVADA

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