

NEVADA Labor Laws

Minimum Wage

STATE OF NEVADA
Department of Business & Industry

OFFICE OF THE LABOR COMMISSIONER
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FAX: (702) 486-2660

OFFICE OF THE LABOR COMMISSIONER
1818 COLLEGE PARKWAY, SUITE 102
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www.labor.nv.gov

STATE OF NEVADA
MINIMUM WAGE
2022 ANNUAL BULLETIN

POSTED APRIL 1, 2022

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.

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Overtime

STATE OF NEVADA
Department of Business & Industry

Reply To:

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STATE OF NEVADA
DAILY OVERTIME
2022 ANNUAL BULLETIN

POSTED APRIL 1, 2022

EMPLOYERS MUST PAY 1-1/2 TIMES AN EMPLOYEE'S REGULAR WAGE RATE WHENEVER AN EMPLOYEE WHO IS PAID LESS THAN 1-1/2 TIMES THE APPLICABLE MINIMUM WAGE RATE WORKS MORE THAN 40 HOURS IN ANY WORKWEEK OR MORE THAN 8 HOURS IN ANY WORKDAY, UNLESS OTHERWISE EXEMPTED. EMPLOYERS SHOULD REFER TO NRS 608.018 FOR FURTHER DETAILS ON OVERTIME REQUIREMENTS.

Assembly Bill 190

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/BI/17578/Text#EffectiveOctober1,2022,assetforthinAssemblyBill190anewsectionisaddedtoChapter608ofNRS>

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

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

Domestic Violence

STATE OF NEVADA
Department of Business & Industry

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DOMESTIC VIOLENCE BULLETIN

EFFECTIVE January 1, 2018

NRS 608.018

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

- May be paid or unpaid by the employer;
 - Must be used within the 12 months immediately following the date on which the act which constitutes domestic violence occurred;
 - May be used consecutively or intermittently; and
 - If used for a reason for which leave may also be taken pursuant to the Family and Medical Leave Act of 1993, 29 U.S.C. § 2601 et seq., must be deducted from the amount of leave the employee is entitled to take pursuant to this section and from the amount of leave the employee is entitled to take pursuant to the Family and Medical Leave Act of 1993, 29 U.S.C. § 2601 et seq.
2. An employee may use the hours of leave pursuant to subsection 1 as follows:
- An employee may use the hours of leave only:
- For the diagnosis, care or 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;
 - To obtain counseling or assistance related to an act which constitutes domestic violence committed against the employee or a family or household member of the employee;
 - To participate in court proceedings related to an act which constitutes domestic violence committed against the employee or a family or household member of the employee;
 - 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.
- After taking any hours of leave upon the occurrence of the act which constitutes domestic violence, an employee shall give not less than 48 hours advance notice to his or her employer of the need to use additional hours of leave for a number of purposes listed in paragraph (a).

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

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

Effective date	Lower Tier	Higher Tier
July 1, 2022	\$9.50	\$10.50
July 1, 2023	\$10.25	\$11.25
July 1, 2024	\$11.00	\$12.00

Assembly Bill 456 <https://www.leg.state.nv.us/App/NELIS/REL/80th2019/BI/6870/Text>

Senate Bill 192 <https://www.leg.state.nv.us/App/NELIS/REL/80th2019/BI/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 listed above.

Senate Bill 209

STEVE SISOLAK
GOVERNOR

TERRY REYNOLDS
DIRECTOR

SHANNON M. CHAMBERS
LABOR COMMISSIONER

STATE OF NEVADA
Department of Business & Industry

OFFICE OF THE LABOR COMMISSIONER
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REQUIRED POSTING – SENATE BILL 209

[https://www.leg.state.nv.us/App/NELIS/REL/81st2021/BI/7670/Text#EffectiveImmediatelyasSetforthinSenateBill209passedduringthe2021LegislativeSession,NevadaRevisedStatutes\(NRS\)section608.0192isbeingamendedand anewsectionisaddedtoChapter608ofNRSasfollows:](https://www.leg.state.nv.us/App/NELIS/REL/81st2021/BI/7670/Text#EffectiveImmediatelyasSetforthinSenateBill209passedduringthe2021LegislativeSession,NevadaRevisedStatutes(NRS)section608.0192isbeingamendedand anewsectionisaddedtoChapter608ofNRSasfollows:)

AMENDED SECTION 608.0197 SUBSECTION 2(b):

- An employer shall allow an employee to use paid leave for any use, including, without limitation:
 - Treatment of a mental or physical illness, injury or health condition.
 - Receiving a medical diagnosis or medical care.
 - Receiving or participating in preventative care.
 - Participating in caregiving; or
 - Addressing other personal needs related to the health of the employee.

NEW SECTION CHAPTER 608 OF NRS:

- Except as otherwise provided in subsections 6 and 10, in addition to the paid leave provided pursuant to NRS 608.0197, every employer in private employment shall provide 2 or 4 hours, as determined pursuant to subsection 2 of paid leave to each employee for the purpose of the employee receiving a vaccination for COVID-19.
- If an employer is to receive a vaccination for COVID-19 and the vaccination requires: (a) Only one dose, the employer may take 2 consecutive hours of paid leave to receive the vaccination for COVID-19. (b) Two separate doses that are administered on two separate occasions, the employer may take 2 consecutive hours of paid leave per absence for a total of 4 hours of paid leave.

Paid Leave

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 employment with not less than 50 employees 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:
 - 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
 - Pay such compensation on the same payday as the hours taken are normally paid.
- An employer may set a minimum increment of paid leave, not to exceed 4 hours that an employee may use at any one time.
 - An employer shall provide to each employee on each payday an accounting of the hours of paid leave available for use by that employee. An employer may use the system that the employer uses to pay its employees to provide the accounting of the hours of paid leave available for use by the employee.
 - An employer may, but is not required to, compensate an employee for any unused paid leave available for use by that employee upon separation from employment, except if the employee is rehired by the employer within 90 days after separation from that employer and the separation from employment was not due to the employee voluntarily leaving his or her employment, any previously unused paid leave hours available for use by that employee must be reinstated.
- An employee in private employment may use paid leave available for use by that employee as follows:
 - An employer shall allow an employee to use paid leave beginning on the 90th calendar day of his or her employment.
 - An employee may use paid leave available for use by that employee without providing a reason to his or her employer for such use.

Wage and Hour Laws

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 4-11-2022

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

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

- 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.
- 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.
- An employer shall not employ an employee for a continuous period of 8 hours without permitting the employee to have an uninterrupted rest period of at least one-half hour. Every employer shall authorize and permit covered employees to take rest periods in the middle of each work period or as close to the middle of the work period as possible. The duration of the rest periods shall be based on the total hours worked daily at the rate of 10 minutes for each 4 hours or major fraction thereof. Authorized rest periods shall be counted as hours worked, for which there shall be no deduction from wages.
- Effective July 1, 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 available to the employee for the employee and the employee's dependents at a total cost to the employer for premiums of not more than 10 percent of the employee's gross taxable income from the employee. 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_Posters/forAnnualMinimumWageNotice.
- 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_Posters/forAnnualDailyOvertimeNotice. 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 1/2 times the minimum wage, and more than half their compensation for a representative period based on 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 of wreckers, haulers, 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 salesperson 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.
- If mutually agreed upon by an employer 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.
- 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.
- Wages must be paid semimonthly or more often.

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

REV. 04/11/2022

Assembly Bill 307

STEVE SISOLAK
GOVERNOR

TERRY REYNOLDS
DIRECTOR

SHANNON M. CHAMBERS
LABOR COMMISSIONER

STATE OF NEVADA
Department of Business & Industry

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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:

Assembly Bill 307 – <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/BI/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 Programs

- Career Enhancement Program (CEP)** – [https://detr.nv.gov/Page/Career_Enhancement_Program_\(CEP\)](https://detr.nv.gov/Page/Career_Enhancement_Program_(CEP))
- Nevada JobConnect Career Centers** – https://nevadajobconnect.com/Page/Career_Centers
 - Employment Services** – <https://nevadajobconnect.com/#/>
 - Veterans Employment Services** – https://nevadajobconnect.com/Page/Veteran_Services
 - Migrant Seasonal Farm Workers** – https://nevadajobconnect.com/Page/Migrant_and_Seasonal_Farm_Workers
 - Eligible Training Provider List (ETPL)** – <https://www.employ.nv.gov/vsnet/Guest.aspx?questtype=IND&where=ETPLPROGRAMS>
 - Nevadaworks** (northern Nevada) – <http://nevadaworks.com/service-providers/>
 - Workforce Connections** (southern Nevada) – https://nvworkforceconnections.org/page_id=8082
 - Nevada Labor Market Information** – <https://nevadaworkforce.com/>

Business Services

- Job Order Posting** – https://nevadajobconnect.com/Page/Post_a_Job_Opening
- Foreign Labor Certification (FLC)** – https://nevadajobconnect.com/page/H-2B_Online_Job_Order_Form
- 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/e-ta/american-job-centers/RESEA>
- Trade Assistance Act (TAA)** – <https://www.dol.gov/agencies/e-ta/tradact>
- 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.employ.nv.gov/admin/gspub/htmlarea/uploads/Short%20Term%20Training_NV_04142021.pdf
- Short-term Certificate programs** – <https://www.trncc.edu/academic/certifications>
- Education and Training** – <https://www.employ.nv.gov/vsnet/Guest.aspx?action=ind&questtype=IND&where=LEARNING>
- Online Learning Resources** – <https://www.employ.nv.gov/vsnet/OnlineLearningResources.aspx>
- Nevada's Displaced Homemaker Program** – https://detr.nv.gov/Page/Displaced_Homemakers_Program
- Grow with Google** – email: growwithgoogle@detr.nv.gov

For additional services, resources and program details – register in EmployNV.at: <https://www.employ.nv.gov/vsnet/onlineintro.aspx>

Pursuant to the Stevens Amendment (<https://www.gao.gov/products/jgo-19-382>), 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)

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 \$14,502 for each serious violation and for optional penalties of up to \$14,502 for each nonserious violation. Penalties of up to \$14,502 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 \$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 employees.