#### **EEOC - EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW**

PRIVATE EMPLOYERS, STATE AND LOCAL GOVERNMENTS, EDUCATIONAL INSTITUTIONS, EMPLOYMENT AGENCIES AND LABOR ORGANIZATIONS Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Title VII of the Civil Rights Act of 1964, GENETICS Title II of the Genetic Information Nondiscrimination Act of 2008 protects as amended, protects applicants and employees from discrimination in hiring, promotion, applicants and employees from discrimination based on genetic information in hiring discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national other aspects of employment. GINA also restricts employers' acquisition of genetic origin. Religious discrimination includes failing to reasonably accommodate an employee's information and strictly limits disclosure of genetic information. Genetic info religious practices where the accommodation does not impose undue hardship.

DISABILITY Title I and Title V of the Americans with Disabilities Act of 1990, as amended, includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medica protect qualified individuals from discrimination on the basis of disability in hiring, history); and requests for or receipt of genetic services by applicants, employees, or their promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable RETALIATION A **RETALIATION** All of these Federal laws prohibit covered entities from retaliating accommodation to the known physical or mental limitations of an otherwise qualified against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED There are strict time. individual with a disability who is an applicant or employee, barring undue hardship.

AGE The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in limits for filing charges of employment discrimination. To preserve the ability of EEOC to niring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected: other aspects of employment. SEX (WAGES) In addition to sex discrimination prohibited by Title VII of the Civil Rights
Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in
the payment of wages to women and men performing substantially equal work, in jobs

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free)
or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC
field office information is available at www.eeoc.gov or in most telephone directories in

hat require equal skill, effort, and responsibility, under similar working conditions, in the 👚 the U.S. Government or Federal Government section. Additional information about EEOC including information about charge filing, is available at www.eeoc.gov. same establishment. **EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS** rom discrimination based on inquiring about, disclosing, or discussing their

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases: RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL of employment, including the executive level. ORIGIN Executive Order 11246, as amended, prohibits employment discrimination based PROTECTED VETERANS The Vietnam Era Veterans' Readjustment Assistance Act of 1974 on race, color, religion, sex, sexual orientation, gender identity, or national origin, and as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and require equires affirmative action to ensure equality of opportunity in all aspects of employment. affirmative action to recruit, employ, and advance in employment, disabled veterans PAY SECRECY Executive Order 11246, as amended, protects applicants and employees recently separated veterans (i.e., within three years of discharge or release from active duty) active duty wartime or campaign badge veterans, or Armed Forces service medal veterar compensation or the compensation of other applicants or employees.

INDIVIDUALS WITH DISABILITIES Section 503 of the Rehabilitation Act of 1973, as discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination. amended, protects qualified individuals with disabilities from discrimination in hiring, under these Federal laws. Any person who believes a contractor has violated its promotion, discharge, pay, fringe benefits, job training, classification, referral, and other nondiscrimination or affirmative action obligations under the authorities above should aspects of employment. Disability discrimination includes not making reasonable contact immediately: The Office of Federal Contract Compliance Programs (OFCCP), U.S commodation to the known physical or mental limitations of an otherwise qualified Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800individual with a disability who is an applicant or employee, barring undue hardship to 397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at the employer. Section 503 also requires that Federal contractors take affirmative action OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most to employ and advance in employment qualified individuals with disabilities at all levels telephone directories under U.S. Government, Department of Labor If you believe that you have experienced discrimination contact OFCCP: 1-800-397-6251 TTY 1-877-889-5627 www.dol.gov.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title VII of the which receive Federal financial assistance. Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, INDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, as prohibits discrimination on the basis of race, color or national origin in programs or amended, prohibits employment discrimination on the basis of disability in any program activities receiving Federal financial assistance. Employment discrimination is covered by or activity which receives Federal financial assistance. Discrimination is prohibited in al Fitle VI if the primary objective of the financial assistance is provision of employment, or aspects of employment against persons with disabilities who, with or without reasonable where employment discrimination causes or may cause discrimination in providing accommodation, can perform the essential functions of the job. If you believe you have services under such programs. Title IX of the Education Amendments of 1972 prohibits been discriminated against in a program of any institution which receives Federal financial ployment discrimination on the basis of sex in educational programs or activities assistance, you should immediately contact the Federal agency providing such assistance. EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement Mandatory Supplement to EEOC P/E-1(Revised 11/09) "EEO is the Law" Poster

#### DOMESTIC VIOLENCE VICTIMS BULLETIN

### STATE OF NEVADA Department of Business & Industry - OFFICE OF THE LABOR COMMISSIONER - www.labor.nv.gov

EFFECTIVE January 1, 2018 VRS 608.0198 . 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 2-month period. Hours of leave provided pursuant to this subsection:

(b) 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 (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

a) May be paid or unpaid by the employer;

household member of the employee;

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. An employee may use the hours of leave pursuant to subsection 1 as follows (a) An employee may use the hours of leave only: (1) For the diagnosis, care o treatment of a health condition related to an act which constitutes domestic violence committed against the employee or a family or

(2) To obtain counseling or assistance related to an action which constitutes domestic violence committed against the employee or a family or household member of (3) To participate in court proceedings related to an act which constitutes domestic iolence committed against the employee or a family or household member of (4) To establish a safety plan, including, without limitation, any action to increase the

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

OFFICE OF THE LABOR COMMISSIONER

### **DOMESTIC VIOLENCE VICTIMS BULLETIN**

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 ma require the employee to provide to the employer documentation that confirms of 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 orde for protection, an affidavit from an organization which provides services to victims of domestic violence or documentation from a physician. Any documentation provided to an employer pursuant to this subsection is confidential and must be retained by the employer in a manner consistent with the requirements of the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et seq. . 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. . An employer shall maintain a record of the hours of leave taken pursuant to thi 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 employee from the records, unless a request for a record is for the purpose of an investigation. The provisions of this section do not: (a) Limit or abridge any other rights, remedies or procedures available under the law 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.

) Domestic Partner (3) Minor child: or

(4) Parent or other adult person who is related within the first degree of consanguinit 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. (a) Deny an employee the right to use hours of leave in accordance with the conditions 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 (b) Require an employee to find a replacement worker as a condition of using hours of 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.

> 3300 WEST SAHARA AVENUE, SUITE 225. LAS VEGAS, NEVADA 89102 • PHONE: (702) 486-2650 • FAX: (702) 486-2660 1818 COLLEGE PARKWAY, SUITE 102. CARSON CITY, NV 89706 • PHONE: (775) 684-1890 • FAX: (775) 687-6409 STEVE SISOLAK, GOVERNOR • MICHAEL J. BROWN, DIRECTOR • SHANNON M. CHAMBERS, LABOR COMMISSIONER

LEAVE ENTITLEMENTS Eligible employees who work for a covered employer can take up of the employee's worksite to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons: \*Special "hours of service" requirements apply to airline flight crew employee The birth of a child or placement of a child for adoption or foster care; To bond with a child (leave must be taken within 1 year of the child's birth or placement); for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the • To care for the employee's spouse, child, or parent who has a qualifying serious health condition; employer as soon as possible and, generally, follow the employer's usual procedures Employees do not have to share a medical diagnosis, but must provide enough information For the employee's own qualifying serious health condition that makes the employee to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient unable to perform the employee's job; information could include informing an employer that the employee is or will be unable to perform the employee's poble to perform the employee's job; information could include informing an employer that the employee is or will be unable to perform the employee's job; information could include informing an employer that the employee is or will be unable to perform the employee's job; information could include informing an employer that the employee is or will be unable to perform the employee's job; information could include informing an employer that the employee is or will be unable to perform the employee is of the employee is or will be unable to perform the employee is of the employee is of the employee is of the employee. An eligible employee who is a covered servicemember's spouse, child, parent, or next of the employer if the need for leave is for a reason for which FMLA leave was previously taken in may also take up to 26 weeks of FMLA leave in a single 12-month period to care for or certified. Employers can require a certification or periodic recertification supp<mark>orti</mark>ng the the servicemember with a serious injury or illness. An employee does not need to use need for leave. If the employer determines that the certification is incomplete, it must leave in one block. When it is medically necessary or otherwise permitted, employees provide a written notice indicating what additional information is required.

may take leave intermittently or on a reduced schedule. Employees may choose, or an employer's normal paid leave policies. BENEFITS & PROTECTIONS While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave. Upon return designated as FMLA leave, and if so, how much leave will be designated as FMLA leave. from FMLA leave, most employees must be restored to the same job or one nearly **ENFORCEMENT** Employees may file a complaint with the U.S. Department of Labor, Wage dentical to it with equivalent pay, benefits, and other employment terms and conditions. An employer may not interfere with an individual's FMLA rights or retaliate against affect any federal or state law prohibiting discrimination or supersede any state or local law omeo'ne for using or trying to use FMLA leave, opposing any practice made unlawful by or collective bargaining agree'ment that provides greater family or medical leave rights. the FMLA, or being involved in any proceeding under or related to the FMLA. **ELIGIBILITY REQUIREMENTS** An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must: Have worked for the employer for at least 12 months; • Have at least 1.250 hours of service in the 12 months before taking leave:\* and Work at a location where the employer has at least 50 employees within 75 miles

### FMLA - FAMILY AND MEDICAL LEAVE ACT EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

REQUESTING LEAVE Generally, employees must give 30-days' advance notice of the nee that hospitalization or continuing medical treatment is necessary. Employees must inforn EMPLOYER RESPONSIBILITIES Once an employer becomes aware that an employee's nee mployer may require, use of accrued paid leave while taking FMLA leave. If an employee for leave is for a reason that may qualify under the FMLA, the employer must notify the substitutes accrued paid leave for FMLA leave, the employee must comply with the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employee must provide a reason for ineligibility. Employers must notify its employees if leave will be and Hour Division, or may bring a private lawsuit against an employer. The FMLA does not 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627

WWW.WAGEHOUR.DOL.GOV

• Require a female employee or applicant to accept an accommodation that the

Require a female employee to submit written medical certification from the

1325 CORPORATE BLVD. ROOM 115, RENO, NV 89502

from employment if an accommodation is available.

JNDER THE ACT, AN EMPLOYER MAY:

employee or applicant did not request or chooses not to accept or to take leave

### **NEVADA PREGNANT WORKER'S FAIRNESS ACT**

suant 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 om discriminatory or unlawful employment practices based on pregnancy, childbirth, or a related medical condition. NDER THE ACT, IT IS UNLAWFUL FOR EMPLOYERS TO: Deny a reasonable accommodation to female employees and applicants, upo request, for a condition related to pregnancy, childbirth, or a related medical condition, unless an accommodation would impose an undue hardship on Take adverse employment actions against a female employee because the employee requests or uses a reasonable accommodation. based on a need for a reasonable accommodation.

employee's physician substantiating the need for an accommodation because of pregnancy, childbirth, or related medical conditions, and the specific eny an employment opportunity to a qualified female employee or applicant accommodation recommended by the physician. FOR FURTHER INFORMATION REGARDING THE ACT, CONTACT THE NEVADA EQUAL RIGHTS COMMISSION 1820 EAST SAHARA AVENUE SUITE 314, LAS VEGAS, NV 89104 PHONE (702) 486-7161

PHONE (775) 823-6690 An equal opportunity employer/program. Auxiliary aids and services are available upon request for individuals with disabilities Relay 711 or 800.326.6868

### DISCRIMINATION

### NEVADA EQUAL RIGHTS COMMISSION | NEVADA LAW PROHIBITS DISCRIMINATION

Employers may not discriminate based on race, color, national origin, age • Businesses offering services to the public may not discriminate based on race

(40+), sex (including pregnancy), religion, disability, sexual orientation, color, national origin, sex, religion, disability, sexual orientation or gender genetic information, or gender identity or expression. identity or expression. Housing discrimination is prohibited based on race, color, national origin, sex, Persons who believe they have been discriminated against in employment public accommodation or housing, may file a complaint with the Nevada religion, disability, ancestry, familial status, sexual orientation, or gender identity or expression.

Relay 711 or 1325 Corporate Blvd., Room 115, Reno, NV 89502 775.823.6690 1820 East Sahara Avenue, Suite 314, Las Vegas, NV 89104 | **702.486.7161** 800.326.6868 An equal opportunity employer/program. Auxiliary aids and services are available upon request for individuals with disabilities www.nvdetr.org

**WORKERS' COMPENSATION** 

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

# **Workers' Compensation Section**

# **ATTENTION**

**Caution:** The information below is general in nature and is not intended to be legal advice. If you have any questions regarding your status as an employer or employee or your rights and qualification for specific benefits under an industrial injury or occupational disease claim, you should consult with an attorney experienced in industrial insurance.

## Brief Description of Whether the Employer is Required to Obtain

**Industrial Insurance and Whether a Person is a Covered Employee** Every employer ... shall provide and secure compensation ... for any personal injuries by accident sustained by an employee arising out of and in the course of the

employment. See NRS 616B.612(1). An employer is defined as, "Every person, firm, voluntary association and private corporation, including any public service corporation, which has in service any person under a contract of hire." See NRS 616A.230(2). "A person is not an employer .... if: (a) The person enters into a contract with another person or business which is an independent enterprise; and (b) The person is not in the same trade, business, profession or occupation as the independent enterprise." See NRS 616B.603(1).

written, whether lawfully or unlawfully employed" (See NRS 616A.105), but excludes casual employees not in the same trade, business, profession or occupation; musicians not lasting more than 2 consecutive days; household servants, farming and ranching employees; voluntary ski patrol; sports officials paid a nominal fee; clergy, rabbi or lay readers; real estate brokers or sales persons; and commissioned sales persons (See NRS 616A.110). An **independent contractor** is a person who is hired and paid solely to produce a result. It is defined as, "... any person who renders service for a specified recompensation of the contractor is a person who renders service for a specified recompensation of the contractor is a person who is hired and paid solely to produce a result. It is defined as, "... any person who renders service for a specified recompensation of the contractor is a person who is hired and paid solely to produce a result. It is defined as, "... any person who renders service for a specified recompensation of the contractor is a person who is hired and paid solely to produce a result. It is defined as, "... any person who renders service for a specified recompensation of the contractor is a person who renders service for a specified recompensation of the contractor is a person who renders service for a specified recompensation of the contractor is a person who renders the contractor is a person of the contrac

An **employee** is broadly defined as, "... every person in the service of an employer under any appointment or contract of hire or apprenticeship, express or implied, oral or

for a specified result, under the control of the person's principal as to the result of the person's work only and not as to the means by which such result is accomplished. See NRS 616A.255.

### Brief Description of Your Rights and Benefits If You Are Injured on the Job or have an Occupational Disease

Notice of Injury or Occupational Disease (Incident Report Form C-1) If an injury or occupational disease (OD) arises out of and in the course of employment, you must provide written notice to your employer as soon as practicable, but no later than 7 days after the accident or OD. Your employer shall maintain a sufficient supply of the forms Claim for Compensation (Form C-4): If medical treatment is sought, the form C-4 is available at the place of initial treatment. A completed "Claim for Compensation" (Form C-4) must be filed within 90 days after an accident or OD. The treating physician or chiropractor must, within 3 working days after treatment, complete and mail to the employer, the employer's insurer and third-party administrator, the Claim for Compensation.

Medical Treatment: If you require medical treatment for your on-the-job injury or OD, you may be required to select a physician or chiropractor from a list provided by your workers' compensation insurer, if it has contracted with an Organization for Managed Care (MCO) or Preferred Provider Organization (PPO) or providers of health care. If your employer has not entered into a contract with an MCO or PPO, you may select a physician or chiropractor from the Panel of Physicians and Chiropractors. Any medical costs related to your industrial injury or OD will be paid by your insurer.

Temporary Total Disability (TTD): If your doctor has certified that you are unable to work for a period of at least 5 consecutive days, or 5 cumulative days in a 20-day period, or places restrictions on you that your employer does not accommodate, you may be entitled to TTD compensation. Temporary Partial Disability (TPD): If the wage you receive upon reemployment is less than the compensation for TTD to which you are entitled, the insurer may be

required to pay you TPD compensation to make up the difference. TPD can only be paid for a maximum of 24 months. Permanent Partial Disability (PPD): When your medical condition is stable and there is an indication of a PPD as a result of your injury or OD, within 30 days, your insurer

must arrange for an evaluation by a rating physician or chiropractor to determine the degree of your PPD. The amount of your PPD award depends on the date of injury, the results of the PPD evaluation, your age and wage.

Permanent Total Disability (PTD): If you are medically certified by a treating physician or chiropractor as permanently and totally disabled and have been granted a PTD status by your insurer, you are entitled to receive monthly benefits not to exceed 66 2/3% of your average monthly wage. The amount of your PTD payments is subject to

reduction if you previously received a lump-sum PPD award.

Vocational Rehabilitation Services: You may be eligible for vocational rehabilitation services if you are unable to return to the job due to a permanent physical impairment

or permanent restrictions as a result of your injury or occupational disease. Transportation and Per Diem Reimbursement: You may be eligible for travel expenses and per diem associated with medical treatment.

Reopening: You may be able to reopen your claim if your condition worsens after claim closure.

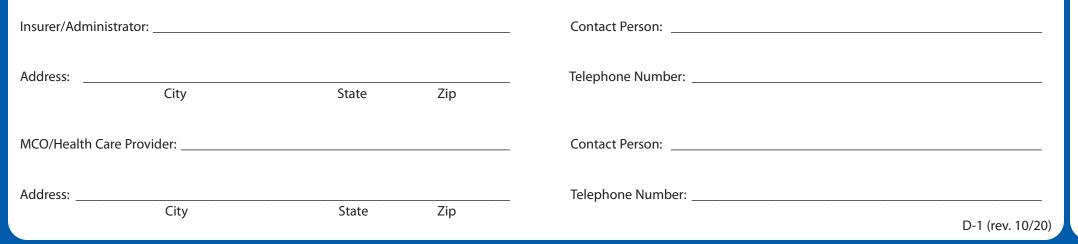
E. William Street, Suite 208, Carson City, NV 89701, (775) 684-7555, or 2200 S. Rancho Drive, Suite 230, Las Vegas, NV 89102, (702) 486-2830.

Appeal Process: If you disagree with a written determination issued by the insurer or the insurer does not respond to your request, you may appeal to the Department of Administration, Hearing Officer, by following the instructions contained in your determination letter. You must appeal the determination within 70 days from the date of the determination letter at 1050 E. William Street, Suite 400, Carson City, Nevada 89701, or 2200 S. Rancho Drive, Suite 210, Las Vegas, Nevada 89102. If you disagree with the Hearing Officer decision, you may appeal to the Department of Administration, Appeals Officer. You must file your appeal within 30 days from the date of the Hearing Officer decision letter at 1050 E. William Street, Suite 450, Carson City, Nevada 89701, or 2200 S. Rancho Drive, Suite 220, Las Vegas, Nevada 89102. If you disagree with a decision of an Appeals Officer, you may file a petition for judicial review with the District Court. You must do so within 30 days of the Appeal Officer's decision. You may be represented by an attorney at your own expense or you may contact the NAIW for possible representation.

Nevada Attorney for Injured Workers (NAIW): If you disagree with a hearing officer decision, you may request that NAIW represent you without charge at an Appeals Officer hearing. NAIW is an independent state agency and is not affiliated with any insurer. For information regarding denial of benefits, you may contact the NAIW at: 1000

To File a Complaint with the Division: If you wish to file a complaint with the Administrator of the Division of Industrial Relations (DIR), please contact Workers' Compensation Section, 400 West King Street, Suite 400, Carson City, Nevada 89703, telephone (775) 684-7270, or 3360 W. Sahara Ave., Suite 250, Las Vegas, NV 89102, telephone (702) 486-9080. For Assistance with Workers' Compensation Issues: You may contact the State of Nevada Office for Consumer Health Assistance, 3320 West Sahara Avenue, Suite 100, Las Vegas, Nevada 89102, Toll Free 1-888-333-1597, Web site: <a href="http://dhhs.nv.gov/Programs/CHA">http://dhhs.nv.gov/Programs/CHA</a>, E-mail <a href="mailto:cha@govcha.nv.gov">cha@govcha.nv.gov</a>

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



# USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

litary service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services. You have the right to be reemployed in your civilian job if you leave that job to elf you leave your job to perform military service, you have the right to elect perform service in the uniformed service and: · you ensure that your employer receives advance written or verbal notice of your service: you have five years or less of cumulative service in the uniformed services while with that particular employer you return to work or apply for reemployment in a timely manner after conclusion you have not been separated from service with a disqualifying discharge or under ENFORCEMENT other than honorable conditions. If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job. IT TO BE FREE FROM DISCRIMINATION AND RETALIATION If you: • are a past or present member of the uniformed service; • have applied for mbership in the uniformed service; or • are obligated to serve in the uniformed

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake

o continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. · Éven if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g. pre-existing condition exclusions) except for service-connected illnesses or • The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations · For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at http://www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at http://www.dol.gov/elaws/userra.htm.

· If you file a complaint with VETS and VETS is unable to resolve it, you may service; then an employer may not deny you: • initial employment; • reemployment; retention in employment; • promotion; or • any benefit of employment, because request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation. ·You may also bypass the VETS process and bring a civil action against an In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a employer for violations of USERRA. proceeding under USERRA, even if that person has no service connection. Publication Date — April 201

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address http://www.dol.gov/vets/programs/userra/poster.htm.Federallawrequir by displaying the text of this notice where they customarily place notices for employees Employer Support Of The Guard And Reserve 1-800-336-4590 U.S. Department of Labo 1-866-487-2365

The Employee Polygraph Protection Act prohibits most private employers or any collective bargaining agreement which is more restrictive with respect to lie from using lie detector tests either for pre-employment screening or during TONS Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons. **EXEMPTIONS** Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities. The Act permits may also bring their own court actions. subject to restrictions, to certain prospective employees of security service firms AND JOB APPLICANTS CAN READILY SEE IT. armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss

OLC 2019

express breast milk as needed; and



numerous strict standards concerning the conduct and length of the test Examinees have a number of specific rights, including the right to a written notice test results disclosed to unauthorized persons. **ENFORCEMENT** The Secretary of Labor may bring court actions to restrain polygraph (a kind of lie detector) tests to be administered in the private sector, THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES UNITED STATES DEPARTMENT OF LABOR 1-866-487-9243 TTY: 1-877-889-5627 www.dol.gov/whd to the employer. The law does not preempt any provision of any State or local law

to reach an agreement, the employer may require the employee to accept a

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

reasonable alternative selected by the employer.

### NURSING MOTHER'S ACCOMMODATION ACT

STATE OF NEVADA Department of Business & Industry OFFICE OF THE LABOR COMMISSIONER - www.labor.nv.gov STATE OF NEVADA NURSING MOTHER'S ACCOMMODATION ACT

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

https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB113\_EN.pdf Exceptions (set forth in subsections 3, 5, and 6 of Assembly Bill 113): Requirements of Assembly Bill 113: 1. Except as otherwise provided in subsections 3, 5 and 6 (see below), each 3. If an employer determines that complying with the provisions of subsection will cause an undue hardship considering the size, financial resources, nature employer shall provide an employee who is the mother of a child under 1 year and structure of the business of the employer, the employer may meet witl the employee to agree upon a reasonable alternative. If the parties are not able (a) Reasonable break time, with or without compensation, for the employee to

b) A place, other than a bathroom, that is reasonably free from dirt or pollution, 5. An employer who employs fewer than 50 employees is not subject to the which is protected from the view of others and free from intrusion by others requirements of this section if these requirements would impose an undue where the employee may express breast milk. hardship on the employer, considering the size, financial resources, nature and If break time is required to be compensated pursuant to a collective bargaining agreement entered into by an employer and an employee organization, any structure of the business of the employer 6. An employer who is a contractor licensed pursuant to chapter 624 of NRS is not break time taken pursuant to subsection 1 by an employee which is covered by subject to the requirements of this section with regard to an employee who is the collective bargaining agreement must be compensated. performing work at a construction jobsite that is located at least 3 miles from An employer shall not retaliate, or direct or encourage another person to the regular place of business of the employer. retaliate, against any employee because that employee has: a) Taken break time or used the space provided pursuant to subsection 1 or 3 to Pursuant to NRS 608.195 (except as otherwise provided in NRS 608.0165) any

express breast milk; or Taken any action to require the employer to comply with the requirements of this section, including, without limitation, filing a complaint, testifying, assisting or participating in any manner in an investigation, proceeding or more than \$5,000 for each violation. hearing to enforce the provisions of this section.

OFFICE OF THE LABOR COMMISSIONER 3300 WEST SAHARA AVENUE, SUITE 225. LAS VEGAS, NEVADA 89102 • PHONE: (702) 486-2650 • FAX: (702) 486-2660 1818 COLLEGE PARKWAY, SUITE 102, CARSON CITY, NV 89706 • PHONE: (775) 684-1890 • FAX: (775) 687-6409 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 3300 W. W Sahara Avenue Suite 225 Las Vegas, Nevada 89102 • (702) 486-2650 Or by going to our website at http://labor.nv.gov STEVE SISOLAK. GOVERNOR • MICHAEL J. BROWN, DIRECTOR • SHANNON M. CHAMBERS, LAROR COL

#### EMPLOYEE LEAVE & CAREER ENHANCE PROGRAM STATE OF NEVADA - Department of Business & Industry - OFFICE OF THE LABOR COMMISSIONER - www.labor.nv.gov

REQUIRED POSTING – ASSEMBLY BILL 190 https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7578/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 4. The provisions of this section shall not be construed to: (a) Limit or abridge any to read as follows 1. Except as otherwise provided in this section, if an employer provides paid or 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. The Labor Commissioner shall prepare a bulletin which clearly sets forth an explanation of the provisions of this section. The Labor Comr the bulletin on the Internet website maintained by the Office of the Labor Commissioner and shall require each employer that provides sick leave to employees to post the bulletin in a conspicuous location in each workplace maintained by the employer. The bulletin may be included in any printed

other rights, remedies or procedures available under the law; (b) Negate any other rights, remedies or procedures available to an aggrieved party; (c) Prohibit, mpt 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 Ú.S.C. §§ 2601 et seg. An employer shall not deny an employee the right to use accrued sick leave ir accordance with the provisions of this section or retaliate against an employed for attempting to prosecute a violation of this section or for exercising any rights afforded by this section. 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

employee;(2) Penalizing the employee in any fashion; and (3) Deducting the

paid leave provided to the employee pursuant to this section from the salary or

5. Any paid leave provided to an employee pursuant to this section must not be

6. This section does not apply to an employer who provides a clinic on the

The Labor Commissioner shall prepare a bulletin which clearly sets forth the

benefits created by this section. The Labor Commissioner shall post the bulleting

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

each workplace maintained by the employer. The bulletin may be included i

employer shall maintain a record of the receipt or accrual and use of pa

the entry of such information in the record and, upon request, shall make those

9. 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, o

discourage any contract or other agreement that provides a more generous paid

10. For the first 2 years of operation, an employer is not required to comply wi

I . As used in this section:(a) "COVID-19" means:(1) The novel coronavirus identifie

as SARS-CoV-2; (2) Any mutation or variant of the novel coronavirus identified

as SARS-CoV-2; or (3) A disease or health condition caused by the nove

coronavirus identified as SARS-CoV-2. (b) "Employer" means a private employer

who has 50 or more employees in private employment in this State.

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

leave pursuant to this section for each employee for a 1-year period follo

COVID-19 during the regular hours of work of the employee.

records available for inspection by the Labor Commissione

premises of the employer where an employee may receive a vaccination for

used in calculating the number of hours for which an employee is entitled to be

REQUIRED POSTING – SENATE BILL 209 https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7670/Text# Effective Immediately as set forth in Senate Bill 209 passed during the 2021 Legislative Session, Nevada Revised Statutes (NRS) section 608.0197 is hereby amended and a new section is added to

AMENDED SECTION 608.0197 SUBSECTION 2(b): 2. (b) An employer shall allow an employee to use paid leave for any use, including, without limitation: (1) Treatment of a mental or physical illness, injury, or health condition. (2) Receiving a medical diagnosis or medical care. (3) Receiving or participating in preventative care.

abstract posted by the employer pursuant to NRS 608.013.

(4) Participating in caregiving; or

(5) Addressing other personal needs related to the health of the employee **NEW SECTION CHAPTER 608 OF NRS:** 1. 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 employ 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 fo

2. If an employee is to receive a vaccination for COVID-19 and the vaccination requires:(a) Only one dose, the employee 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 employee may take 2 consecutive hours of paid leave per absence for a total of 4 hours of paid leave. An employee shall, at least 12 hours before using paid leave provided to the employee pursuant to this section, give notice to his or her employer that the

employee intends to use the paid leave. . An employer, and any agent, representative, supervisory employee or othe person acting on behalf of or under the authority of the employer, shall not:(a) Deny an employee the right to use the paid leave provided to the employee pursuant to this section;(b) Require an employee to find a replacement worker as a condition of using the paid leave provided to the employee pursuant to this section; or (c) Retaliate or take any adverse action against an employee for using the paid leave provided to the employee pursuant to this section. Such prohibited retaliation includes, without limitation:(1) Discharging or firing the

seekers with training designed to improve earning potential and increase job skills

REQUIRED POSTING - ASSEMBLY BILL 307 Effective October 1, 2021, 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/80th2019/ job seekers by paying for job related expenses such as certifications, work permits Bill/6191/Text Chapter 232 of NRS is hereby amended by adding thereto a new uniforms, and small tools in order to facilitate entry or re-entry into the labor force section to read as follows: 1. The Department (Department of Employment, Training CEP participants receive: and Rehabilitation) shall prepare one or more notices concerning job training or employment programs conducted by the Department, including, without

leave benefit or paid time off benefit.

the provisions of this section.

whom the employee is the legal guardian.

wages of the employee.

compensated for overtime.

• Individualized reemployment plans designed for optimal employment outcomes Job search workshops and intensive job search coaching imitation, the Career Enhancement Program and Nevada JobConnect, and provide Aptitude and skills proficiency testing to determine skills, abilities, and interests each such notice to the Labor Commissioner. <u>Career Enhancement Program (CEP)</u>- <a href="https://detr.nv.gov/Page/Career\_Enhancement\_Program\_(CEP)">https://detr.nv.gov/Page/Career\_Enhancement\_Program\_(CEP)</a> is Vocational guidance and counseling • Basic education enhancement Nevada's Career Information System
 Labor Market Information an employer-funded training and re-employment program that provides job

#### required in today's workplace. This program also works directly with Unemployment • Services for workers with disabilities • Services for veterans Insurance claimants to provide intensive re-employment assistance. CEP may assist • Letter of Intent to Hire • Letter of Intent to Hire Form Job Connect Program | https://nevadajobconnect.com/ | https://detr.nv.gov/Page/Rehabilitation\_Division

Nevada's Job Bank
 Services for older workers

OFFICE OF THE LABOR COMMISSIONER 1818 COLLEGE PARKWAY, SUITE 102, CARSON CITY, NV 89706

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

TELEPHONE: (775) 684-1890 FACSIMILE: (775) 687-6409 STEVE SISOLAK, GOVERNOR • TERRY REYNOLDS, DIRECTOR • SHANNON M. CHAMBERS, LABOR COMMISSIONE

PAYDAY NOTICE

# The regular pay days for employees of

 Pav checks will be distributed at: If you have any questions regarding your paycheck please contact:

(Contact Name & Phone Number Title 53, Chapter 608, NRS 608.080 Please Post in a Conspicuous Area

LIE DETECTOR TEST ACT STATE OF NEVADA Office of the Labor Commissione NOTICE OF LIMITATIONS AFFECTING THE APPLICATION OF LIE DETECTOR TESTS

and maintain this notice in a conspicuous location at request a polygraph examination administered by a the place of employment where notices to employees qualified person with regard to prospective employee and applicants for employment are customarily posted and read. Pursuant to NRS 613.440(2), Lie detector who would be employed to protect certain kinds or sensitive or valuable property or facilities. The use of a stress evaluator or any other similar device, whether businesses that handle controlled substances. Such mechanical or electrical, which are designed to determine permission exists only in situations where job applicant 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 NRS 613.480(3&4) prohibit an employer from taking prospective employee take or submit to any lie detector adverse action against any employee or prospective test except as provided in NRS 613.510. NRS 613.510 employee based on the results of any lie detector test contains several exceptions which permit an employer to or refusal to take any lie detector test. Employers who request polygraph examinations. An employer may violate the provisions in NRS 613.440 to 613.510 are

or employees have direct access to the controlle request that an employee or prospective employee take a subject to civil liability in court, as well as fines imposed by polygraph examination administered by a qualified the Nevada Labor Commissioner. For additional information person as part of an investigation of theft or similar contact our offices at 702-486-2650 in Las Vegas or 775-684 vrongdoing affecting the employer's business which 1890 in Carson City or via Email at mail1@labor.nv.gov

#### SICK LEAVE STATE OF NEVADA Office of the Labor Commissioner

NRS 613.460(2) requires that each employer shall post appears to involve the employee. The employer may also

Notice to Employer that Employee is Sick or Sustained Injury Nevada Revised Statutes (NRS) § 613 Effective May 15, 2019, as set forth in Assembly Except as otherwise provided in NRS 608.0165, tl Bill (AB) 181 approved during the 2019 Legislative Labor Commissioner may impose an administra Session, Nevada Revised Statutes (NRS) section 613 is hereby amended with a new section as follows: penalty of not more than \$5,000 for each violation NRS 608 005 to 608 195 inclusive in addition to oth remedies or penalties as authorized by law. a) Shall not require an employee to be physically Copies of this notice may be obtained from ou present at his or her place of work in order to notify website at: www.labor.nv.gov

his or her employer that he or she is sick or has For a copy of the AB 181: https://www.leg.state.nv.us/Session/80th2019/Bills/AB/AB181\_EN.pdf sustained an injury that is not work-related and cannot work. May require an employee to notify the employer that should not be considered legal advice. Please refer to AB 18 he or she is sick or injured and cannot report for work. and NRS section 613 or more information contact the Office of the Labor Commissioner Carson City 775-684-1890 or Las Vegas 702-486-2650 Toll Free: 1-800-992-0900 Ext. 4850 Internet: www.labor.nv.gov REVISED 6/11/201

#### MINIMUM WAGE BULLETIN STATE OF NEVADA - Department of Business & Industry - OFFICE OF THE LABOR COMMISSIONER - www.labor.nv.gov

STATE OF NEVADA MINIMUM WAGE 2021 ANNUAL BULLETIN POSTED APRIL 1, 2021 456 PASSED DURING THE 80TH 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 AR EFFECTIVE AS OF JULY 1, 2021 AND WILL INCREASE AS SET FORTH BELOW UNTIL JULY 1, 2024. FOR EMPLOYEES TO WHOM QUALIFYING HEALTH BENEFITS HAVE BEEN OFFERED/MADE AVAILABLE BY THE EMPLOYER THE LOWER TIEI RATE MAY BE PAID. PLEASE SEE SENATE BILL 192 PASSED DURING THE 80TH SESSION OF THE NEVADA LEGISLATURE (2019). FOR ALL OTHER EMPLOYEES, EMPLOYERS MUST PAY THE HIGHER TIER RATE AS SET FORTH BELOW:



□ OFFICE OF THE LABOR COMMISSIONER

Copies of this notice may be obtained from our website at: <u>www.labor.nv.gov</u> or by contacting : □ OFFICE OF THE LABOR COMMISSIONER CARSON CITY, NV 89706 LAS VEGAS, NEVADA 89102 TELEPHONE: (775) 684-1890 FACSIMILE: (775) 687-6409 TELEPHONE: (702) 486-2650 FACSIMILE: (702) 486-2660

#### DAILY OVERTIME BULLETIN STATE OF NEVADA - Department of Business & Industry - OFFICE OF THE LABOR COMMISSIONER - www.labor.nv.gov

STATE OF NEVADA DAILY OVERTIME 2021 ANNUAL BULLETIN POSTED APRIL 1, 2021 EMPLOYERS MUST PAY 1-1/2 TIMES AN EMPLOYEE'S REGULAR WAGE RATE WHENEVER AN EMPLOYEE WHO IS PAIL LESS THAN 1-1/2 TIMES THE APPLICABLE MINIMUM WAGE RATE WORKS MORE THAN 40 HOURS IN ANY WORKWEE OR MORE THAN 8 HOURS IN ANY WORKDAY, UNLESS OTHERWISE EXEMPTED, EMPLOYERS SHOULD REFER TO N 608.018 FOR FURTHER DETAILS ON OVERTIME REQUIREMENTS. THE FOLLOWING AMOUNTS ARE THE WAGE RATES BELOW FOR WHICH DAILY OVERTIME MAY BE APPLICABLE. THESE RATES ARE EFFECTIVE AS OF JULY 1, 2021 EMPLOYEES WHO EARN LESS THAN \$13.125 PER HOUR (OFFERED QUALIFIED HEALTH

STEVE SISOLAK, GOVERNOR • TERRY REYNOLDS, DIRECTOR • SHANNON M, CHAMBERS, LABOR COMMISSIONE



REGULAR RATE OF PAY FOR: OVER 8 HOURS OF WORK IN A 24-HOUR PERIOD; OR **OVER 40 HOURS OF WORK IN A WORK WEEK.** EMPLOYEES THAT MAKE MORE THAN THE HOURLY RATES ABOVE ARE ELIGIBLE FOR OVERTIME AT ONE AND A HALF FIMES THE EMPLOYEE'S REGULAR RATE OF PAY FOR OVER 40 HOURS OF WORK IN A WORK WEEK. THE EMPLOYER MUST

LAS VEGAS, NEVADA 89102

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

To be eligible for unemployment benefits an

unemployment benefits.

BENEFITS) OR LESS THAN \$14.625 PER HOUR (NOT OFFERED QUALIFIED HEALTH

BENEFITS) ARE ELIGIBLE FOR OVERTIME AT ONE AND A HALF TIMES THE EMPLOYEE'S

VERIFY THE RATES ABOVE \$13,125 PER HOUR AND \$14,625 PER HOUR BASED ON QUALIFIED HEALTH BENEFITS BEING OFFERED OR NOT OFFERED TO EMPLOYEES TO PAY OVERTIME FOR OVER 40 HOURS OF WORK IN A WORK WEEK Copies may be obtained at www.labor.nv.gov or from the Labor Com 1818 East College Parkway, Suite 102, Carson City, Nevada 89706 • (775) 684-1890 or 3300 West Sahara Avenue, Suite 225 Las Vegas, Nevada 89102 • (702) 486-2650 ☐ OFFICE OF THE LABOR COMMISSIONER □ OFFICE OF THE LABOR COMMISSIONER

STEVE SISOLAK, GOVERNOR • TERRY REYNOLDS, DIRECTOR • SHANNON M. CHAMBERS, LABOR COMMISSIO

#### 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

The employees of this establishment are protected by unemployed person must: Unemployment Insurance. This employer is required 1. Be unemployed through no fault of your own and by law to contribute to the Nevada Unemployment meet all other conditions of the law regarding ensation Fund. No part of the contrib 2. File a claim online or with the Nevada Telephone deducted from the wages of employees. If you are separated from your job or if your hours have Claim Center 3. Be physically able to work. been substantially reduced, immediately:

NOTICE TO EMPLOYEES

CARSON CITY, NV 89706

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

4. Be available and willing to accept suitable employmen · File an unemployment insurance claim online or by if offered. calling the nearest Nevada Telephone Claim Center as 5. Make a reasonable and sincere effort to find a job. shown below, for full or partial unemployment benefits. Reasons an unemployed person may not be eligible Request employment services from the nearest Nevada JobConnect Career Center or find employment for unemployment benefits are: nformation online at www.NevadaJobConnect.com. . Separation from employment due to quitti If you are disabled and require assistance, contact the without good cause. Nevada JobConnect Career Center prior to your visit 2. Being discharged for misconduct in connection with your work. B. Refusal of an offer of suitable work without good cause to arrange special accommodations. To file a claim for unemployment benefits call the

4. Giving misinformation or withholding information about the reason for separation from your job. In Southern Nevada call (702) 486-0350 • In Northern 5. Failure to properly report wages. Nevada call (775) 684-0350 DETR In Rural Nevada call toll-free (888) 890-8211 OR File JobConnect 1 online at <a href="http://ui.nv.gov/">http://ui.nv.gov/</a>

 $\cdot$  An equal opportunity employer/program  $\cdot$  Auxiliary aids and services available upon request for individuals with disabilities · Relay Nevada 711 or (800) 326-6868 (TTY) To report suspected fraud, go to: <a href="https://uifraud.nvdetr.org">https://uifraud.nvdetr.org</a> OR call (775) 684-0475

OCCUPATIONAL SAFETY AND HEALTH PROTECTION

### **NEVADA SAFETY AND HEALTH** PROTECTION ON THE JOB

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

### Each employer shall furnish to each of his employees employment

**EMPLOYEES:** 

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. 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.

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

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.

confidential names of employees complaining.

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.

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

If upon inspection Nevada OSHA believes an employer has

violated the Act, a citation alleging such violations will be issued

The Act provides for mandatory penalties against employers of up to \$13,653 for each serious violation and for optional penalties of up to \$13,653 for each nonserious violation. Penalties of up to \$13,653 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

\$136,532 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 elimination of hazards that could cause death, injury, or illness to employees and supervisors.

Such cooperative action would initially focus on the identification

and health programs in all workplaces and industries.

Further information and assistance will be provided by Nevada OSHA to employees and employers upon request.

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** Las Vegas, Nevada 89102 Telephone: (702) 486-9020 Fax: (702) 486-8714 **Northern Nevada** 

3360 W. Sahara Avenue, Suite 200 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

**MORE INFORMATION:** 

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. 01-21)

#### FEDERAL MINIMUM WAGE **EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT**

The law requires employers to display this poster where employees can readily see it.

OVERTIME PAY At least 1 ½ times your regular rate of pay for all hours worked over

the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious 40 in a workweek. CHILD LABOR An employee must be at least 16 years old to work in most non-farm jobs injury of any minor employee, and such assessments may be doubled when the violations and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. are determined to be willful or repeated. The law also prohibits retaliating against or Youths 14 and 15 years old may work outside school hours in various non-manufacturing, discharging workers who file a complaint or participate in any proceeding under the FLSA. on-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment. FIP CREDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay

tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's ash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference. IURSING MOTHERS The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion om coworkers and the public, which may be used by the employee to express breast milk. ENFORCEMENT The Department has authority to recover back wages and an equal mount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of

 Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico. Some state laws provide greater employee protections; employers must comply with both. are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not. Certain full-time students, student learners, apprentices, and workers with disabilities

may be paid less than the minimum wage under special certificates issued by the **₹HW** 

1-866-487-9243 TTY: 1-877-889-5627

# **EMERGENCY PHONE NUMBERS**

(Please Give Exact Address of This Worksite Location) Fire Department: 911 or

Ambulances: 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

### 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 E. An employee in private employment may use paid leave available for use by that

employee of the employer as follows: A. An employee is entitled to at least 0.01923 hours of paid leave for each hour of 3. 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:

employment with not less than 50 employees shall provide paid leave to each

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. D. An employer may set a minimum increment of paid leave, not to exceed 4 hours tha an employee may use at any one time. 1. 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 nours of paid leave available for use by the employee. ?. An employer may, but is not required to, compensate an employee for any unused

employee voluntarily leaving his or her employment, any previously unused paid eave hours available for use by that employee must be reinstated. 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

employee as follows 1. An employer shall allow an employee to use paid leave beginning on the 90th calendar day of his or her employment. 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.

Police: 911 or

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 retaliate against an employee for using paid leave available for use by that employee. F. 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

G. For the first 2 years of operation, an employer is not required to comply with the visions 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 leave or a policy for paid time off to all scheduled employees at a rate of at least 0.01923 hours of paid leave per hour of work performed; and (b) Temporary.

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 postina and information purposes and should not be considered legal advice. Please refer to SB 312 and NRS section 608 for further details.

EVERY EMPLOYER SHALL POST AND KEEP POSTED IN A VISIBLE AND OPEN AREA FOR EMPLOYEES ON THE EMPLOYER'S PREI

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

corporation, who violates any of these NRS and NAC provisions may be guilty of a misdemeanor and subject to penalties. 'The Legislature hereby finds and declares that the health and welfare of workers and the employment of persons in private enterprise in

this State are of concern to the State and that the health and welfare of persons required to earn their livings by their own endeavors require certain safeguards as to hours of service, working conditions and compensation therefor." . 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,

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, 2021, each employer shall pay a wage to each employee of not less than \$8.75 per hour worked if the employer offers qualified health benefits, or \$9.75 per hour if the employer does not offer qualified health benefits. Offering health benefits means making qualified health benefits available to the employee for the employee and the employee's dependents at a total cost to the employee for premiums of not more than 10 percent of the employee's gross taxable income from the employer. Tips or gratuities received by employees shall not be credited as being any part of or offset

for Annual Minimum Wage notice. 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

The above provisions do not apply to: (a) Employees who are not covered by the minimum wage provisions of the Constitution (b) Outside buyers; (c) Employees in a retail or service business if their regular rate is more than 1 ½ times the minimum wage, and more than half their compensation for a representative period comes from commissions on goods or services, with the representative period being, to the extent allowed pursuant to federal law, not less than one month; (d) Employees who are employed in bona fide executive, administrative or professional capacities; (e) Employees covered by collective bargaining agreements which provide otherwise for overtime; (f) Drivers, drivers' helpers, loaders and mechanics for motor carriers subject to the Motor Carrier Act of 1935, as amended; (g) Employees of a railroad; (h) Employees of a carrier 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; (I) 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

minimum wage works more than 40 hours in any scheduled week of work. See <a href="https://labor.nv.gov/Employer/Employer Posters/">https://labor.nv.gov/Employer/Employer Posters/</a> for Annual Daily

ascribed to it in section 6 of this act. 6. If mutually agreed upon by an employee and employer in writing to exclude from the employee's wages a regularly scheduled sleeping period not

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. 9. Every employer shall establish and maintain regular paydays and shall post a notice setting forth those regular paydays in 2 conspicuous places. After an employer establishes regular paydays and the place of payment, the employer shall not change a regular payday or the place of payment unless,

not fewer than 7 days before the change is made, the employer provides the employees affected by the change with written notice in a manner that is calculated to provide actual notice of the change to each such employee. 10. It is unlawful for any person to take all or part of any tips or gratuities bestowed upon his employees. Nothing contained in this section shall be construed to prevent such employees from entering into an agreement to divide such tips or gratuities among themselves.

11. An employer may not require an employee to rebate, refund or return any part of his or her wage, salary or compensation. Also, an employer may

not withhold or deduct any portion of such wages unless it is for the benefit of, and authorized by written order of the employee. Further, it is unlawful for any employer who has the legal authority to decrease the wage, salary or compensation of an employee to implement such a decrease

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. . 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

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.

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 15. In addition to the leave provided in NRS section 608.0197 an employer shall provide 2 to 4 hours of paid leave to obtain a vaccination for COVID-19.

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

NV-0721-F02

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 employee. 4. An employer shall not: deny an employee the right to use paid leave available for for inspection by the Labor Commissioner. 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 seasonal or on-call employees.

to 608.195 inclusive, in addition to other remedies or penalties as authorized by law.

RULES TO BE OBSERVED BY EMPLOYERS

RULES TO BE OBSERVED BY EMPLOYERS

Summary of NRS and NAC Provisions and should not be considered legal advice - REVISED 6-17-21

\*PLEASE NOTE: Every person, firm, association or corporation, or any agent, servant, employee, or officer of any such firm, association, or

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

against the minimum wage rates or the 10 percent premium for qualified health benefits. See <a href="https://labor.nv.gov/Employer/Employer/Employer-Posters/">https://labor.nv.gov/Employer/Employer Posters/</a>

Overtime notice 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

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,

unless: (a) Not less than 7 days before the employee performs any work at the decreased wage, salary or compensation, the employer provides the accessory requires a special cleaning process, and cannot be easily laundered by an employee, such employee's employer shall clean such uniform

13. An employer: (a) Shall not require an employee to be physically present at his or her place of work in order to notify his or her employer that he or 14. An employer in private employment with not less than 50 employees shall provide paid leave to each employee of the employer pursuant to the

Please see Senate bill 209 – 2021 Legislative Session for the full provisions. https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7670/Text# 16. NRS section 608.0197 subsection 2(b) states: An employer shall allow an employee to use paid leave for any use, including, without limitation: (1) Treatment of a mental or physical illness, injury, or health condition. (2) Receiving a medical diagnosis or medical care. (3) Receiving or participating in preventative care.(4) Participating in caregiving; or (5) Addressing other personal needs related to the health of the employee. (See Senate Bill

> 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