

## 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/

### **PROPOSED PENALTY:**

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

Criminal penalties are also provided for in the Act. Any willful violation resulting in death of an employee, upon conviction, is punishable by a fine of not more than \$50,000 or by imprisonment for not more than six months, or by both. Conviction of any employer after a first conviction doubles these maximum penalties. Penalties may be proposed for public employers.

### **VOLUNTARY ACTIVITY:**

While providing penalties for violations, the Act also encourages efforts by labor and management, before a Nevada OSHA inspection, to reduce injuries and illnesses arising out of employment.

The Nevada Occupational Safety and Health Administration of the Division of Industrial Relations, Department of Business and Industry, encourages employers and employees to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries.

# OCCUPATIONAL SAFETY AND HEALTH PROTECTION (Continued)

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.

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

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

## **MORE INFORMATION:**

Additional information and copies of the Act, specific Nevada OSHA safety and health standards, and other applicable regulations may be obtained by calling or writing the nearest Nevada OSHA district office in the following locations:

### **Southern Nevada**

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

### **Northern Nevada**

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

## **NOTE:**

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

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

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

(Rev. 01-24)

# LIE DETECTOR TEST ACT



STATE OF NEVADA Office of the Labor Commissioner

## NOTICE OF LIMITATIONS AFFECTING THE APPLICATION OF LIE DETECTOR TESTS

**NRS 613.460(2) requires that each employer shall post and maintain this notice in a conspicuous location at the place of employment where notices to employees and applicants for employment are customarily posted and read.**

Pursuant to NRS 613.440(2), Lie detector means polygraph, voice stress analyzers, psychological stress evaluator or any other similar device, whether mechanical or electrical, which are designed to determine the honesty or dishonesty of an individual. NRS 613.480(1) prohibits employers or anyone acting in the employer's behalf from requiring or requesting that an employee or prospective employee take or submit to any lie detector test except as provided in NRS 613.510. NRS 613.510 contains several exceptions which permit an employer to request polygraph examinations. An employer may request that an employee or prospective employee take a polygraph examination administered by a qualified person as part of an investigation of theft or similar wrongdoing affecting the employer's business which appears to involve the employee. The employer may also request a polygraph examination administered by a qualified person with regard to prospective employees who would be employed to protect certain kinds of sensitive or valuable property or facilities. The use of a polygraph examination is also permitted to employers in businesses that handle controlled substances. Such permission exists only in situations where job applicants or employees have direct access to the controlled substances or where suspected abuse or theft is involved.

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

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

*For additional information contact our offices at 702-486-2650 in Las Vegas or 775-684-1890 in Carson City or via Email at [mail1@laborcommissioner.com](mailto:mail1@laborcommissioner.com)*

# MINIMUM WAGE BULLETIN



## STATE OF NEVADA

Department of Business & Industry - OFFICE OF THE LABOR COMMISSIONER

## STATE OF NEVADA MINIMUM WAGE 2023 ANNUAL BULLETIN POSTED APRIL 1, 2024

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

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

Effective Date	Minimum Wage
July 1, 2024	\$12.00

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

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

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

### Carson City:

1818 COLLEGE PARKWAY, SUITE 102, CARSON CITY, NV 89706  
TELEPHONE: (775) 684-1890 FACSIMILE: (775) 687-6409

### Las Vegas:

3340 WEST SAHARA AVENUE, LAS VEGAS, NV 89102  
TELEPHONE: (702) 486-2650 FACSIMILE: (702) 486-2660

[www.labor.nv.gov](http://www.labor.nv.gov)

[mail1@labor.nv.gov](mailto:mail1@labor.nv.gov)

JOE LOMBARDO, GOVERNOR • DR. KRISTOPHER SANCHEZ, DIRECTOR • BRETT HARRIS, LABOR COMMISSIONER

# DAILY OVERTIME BULLETIN



## STATE OF NEVADA

Department of Business & Industry - OFFICE OF THE LABOR COMMISSIONER

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

EMPLOYERS MUST PAY 1.5 TIMES AN EMPLOYEE'S REGULAR WAGE RATE WHENEVER AN EMPLOYEE WHO IS PAID LESS THAN 1.5 TIMES THE APPLICABLE MINIMUM 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.

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

Effective Date	Minimum Wage
July 1, 2024	\$12.00

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

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

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

Copies may be obtained at [www.labor.nv.gov](http://www.labor.nv.gov) or from the Labor Commissioner's Offices listed above.

### Carson City:

1818 COLLEGE PARKWAY, SUITE 102, CARSON CITY, NV 89706  
TELEPHONE: (775) 684-1890 FACSIMILE: (775) 687-6409

### Las Vegas:

3340 WEST SAHARA AVENUE, LAS VEGAS, NV 89102  
TELEPHONE: (702) 486-2650 FACSIMILE: (702) 486-2660

[www.labor.nv.gov](http://www.labor.nv.gov)

[mail1@labor.nv.gov](mailto:mail1@labor.nv.gov)

JOE LOMBARDO, GOVERNOR • DR. KRISTOPHER SANCHEZ, DIRECTOR • BRETT HARRIS, LABOR COMMISSIONER

# 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 employment with not less than 50 employees shall provide paid leave to each employee of the employer 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.
- D. An employer may set a minimum increment of paid leave, not to exceed 4 hours that 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 hours of paid leave available for use by the employee.
  - 2. 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.
- E. An employee in private employment may use paid leave available for use by that employee as follows:
  - 1. An employer shall allow an employee to use paid leave beginning on the 90th calendar day of his or her 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.
  - 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 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 for inspection by the Labor Commissioner.
- G. For the first 2 years of operation, an employer is not required to comply with the provisions of this section.
- H. 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, seasonal or on-call employees.

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

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

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

For more information contact the Office of the Labor Commissioner  
Carson City 775-684-1890 or Las Vegas 702-486-2650 | [www.labor.nv.gov](http://www.labor.nv.gov)

REVISED 6/11/2019

# SICK LEAVE



STATE OF NEVADA | Office of the Labor Commissioner

## Notice to Employer that Employee is Sick or Sustained Injury Nevada Revised Statutes (NRS) § 613

**Effective May 15, 2019, as set forth in Assembly Bill (AB) 181 approved during the 2019 Legislative Session, Nevada Revised Statutes (NRS) section 613 is hereby amended with a new section as follows:**

1. An employer:

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

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

Copies of this notice may be obtained from our website at: [www.labor.nv.gov](http://www.labor.nv.gov)

For a copy of the AB 181: [https://www.leg.state.nv.us/Session/80th2019/Bills/AB/AB181\\_EN.pdf](https://www.leg.state.nv.us/Session/80th2019/Bills/AB/AB181_EN.pdf)

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

For 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](http://www.labor.nv.gov)

REVISED 6/11/2019



# EMPLOYEE LEAVE & CAREER ENHANCE PROGRAM

STATE OF NEVADA - Department of Business & Industry - OFFICE OF THE LABOR COMMISSIONER - [www.labor.nv.gov](http://www.labor.nv.gov) [mail1@labor.nv.gov](mailto:mail1@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 to read as follows:

1. Except as otherwise provided in this section, if an employer provides paid or unpaid sick leave for the use of his or her employees, the employer must allow an employee to use any accrued sick leave to assist a member of the immediate family of the employee who has an illness, injury, medical appointment or other authorized medical need to the same extent and under the same conditions that apply to the employee when taking such leave.
2. An employer may limit the amount of sick leave that an employee may use pursuant to subsection 1 to an amount which is equal to not less than the amount of sick leave that the employee accrues during a 6-month period.
3. The Labor Commissioner shall prepare a bulletin which clearly sets forth an explanation of the provisions of this section. The Labor Commissioner shall post the bulletin on the Internet website maintained by the Office of the Labor Commissioner and shall require each employer that provides sick leave to employees to post the bulletin in a conspicuous location in each workplace maintained by the employer. The bulletin may be included in any printed abstract posted by the employer pursuant to NRS 608.013.
4. The provisions of this section shall not be construed to: (a) Limit or abridge

- any other rights, remedies or procedures available under the law; (b) Negate any other rights, remedies or procedures available to an aggrieved party; (c) Prohibit, preempt or discourage any contract or other agreement that provides a more generous sick leave benefit or paid time off benefit; or (d) Extend the maximum amount of leave to which an employee is entitled to take pursuant to the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et seq.
5. An employer shall not deny an employee the right to use accrued sick leave in accordance with the provisions of this section or retaliate against an employee for attempting to prosecute a violation of this section or for exercising any rights afforded by this section.
6. The provisions of this section do not apply: (a) To the extent prohibited by federal law; or (b) With regard to an employee of the employer if the employee is covered under a valid collective bargaining agreement.
7. As used in this section, "immediate family" means: (a) The child, foster child, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent of an employee; or (b) Any person for whom the employee is the legal guardian.

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

**Assembly Bill 307** - <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7811/Text> Chapter 232 of NRS is hereby amended by adding thereto a new section to read as follows: 1. The Department (Department of Employment, Training and Rehabilitation; DETR) shall prepare one or more notices concerning job training or employment programs conducted by the Department, including, without limitation, the Career Enhancement Program and EmployNV Business/Career Hubs and provide each such notice to the Labor Commissioner. Within 30 days following the end of each calendar quarter (October 1, January 1, April 1, and July 1), DETR will transmit to the Labor Commissioner an updated notice on the following job training and employment programs. This Notice fulfills DETR's April 1, 2024 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))

**EmployNV Business/Career Hubs** - <https://employnv.gov>

**Employment Services** - <https://employnv.gov>

**Veterans Employment Services** - [https://detr.nv.gov/Page/Veteran\\_Services](https://detr.nv.gov/Page/Veteran_Services)

**Migrant Seasonal Farm Workers (MSFW)** - <https://www.employnv.gov/vosnet/gsipub/documentview.aspx?enc=s0YLzxCf++EmSyMZiXZH1A==>

**Eligible Training Provider List (ETPL)** - <https://www.employnv.gov/vosnet/guest.aspx?guesttype=IND&wheretoe=ETPLPROGRAMS>

▪ **Nevadaworks** (northern Nevada) - <http://nevadaworks.com/service-providers/>

▪ **Workforce Connections** (southern Nevada) - <https://nvworkforceconnections.org/system-partners/eligible-training-provider-list-etpl/>

**Nevada Labor Market Information** - <https://nevadaworkforce.com/>

### Business Services

**Job Order Posting** - <https://employnv.gov>

**Foreign Labor Certification (FLC)** - [https://detr.nv.gov/Page/H-2B\\_Online\\_Job\\_Order\\_Form](https://detr.nv.gov/Page/H-2B_Online_Job_Order_Form)

**Silver State Works (SSW)** - <http://employnv.gov/vosnet/gsipub/documentview.aspx?enc=+Xn98+WQY9h4nikSv15Oag==>

**Rapid Response** - [https://detr.nv.gov/Page/Employment\\_Security\\_Division\\_Rapid\\_Response](https://detr.nv.gov/Page/Employment_Security_Division_Rapid_Response)

**Work Opportunity Tax Credit (WOTC)** - [https://detr.nv.gov/Page/Work\\_Opportunity\\_Tax\\_Credit](https://detr.nv.gov/Page/Work_Opportunity_Tax_Credit)

**Work Opportunity Tax Credit (WOTC)** - [https://nevadajobconnect.com/Page/Work\\_Opportunity\\_Tax\\_Credit](https://nevadajobconnect.com/Page/Work_Opportunity_Tax_Credit)

### Other Employment and Training Services

**Nevada Employment and Eligibility Assessment Initiative (REAnv)/Reemployment Services and Eligibility Assessment Program (RESEA)** - <https://www.dol.gov/agencies/eta/american-job-centers/RESEA>

**Trade Assistance Act (TAA)** - <https://www.dol.gov/agencies/eta/tradeact>

**Federal Bonding Program** - <https://bonds4jobs.com/>

**Vocational Rehabilitation** - [https://detr.nv.gov/Page/Rehabilitation\\_Division\\_Bureau\\_of\\_Vocational\\_Rehabilitation](https://detr.nv.gov/Page/Rehabilitation_Division_Bureau_of_Vocational_Rehabilitation)

**Short-term Training programs** - [https://www.employnv.gov/admin/gsipub/htmlarea/uploads/Short%20Term%20Training\\_NV\\_04142021.pdf](https://www.employnv.gov/admin/gsipub/htmlarea/uploads/Short%20Term%20Training_NV_04142021.pdf)

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

**Education and Training** - <https://www.employnv.gov/vosnet/Guest.aspx?action=indguest&guesttype=IND&wheretoe=LEARNING>

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

**Nevada's Displaced Homemaker Program** - [https://detr.nv.gov/Page/Displaced\\_Homemakers\\_Program](https://detr.nv.gov/Page/Displaced_Homemakers_Program)

For additional services, resources and program details - register in **EmployNV** at: <https://www.employnv.gov/vosnet/loginintro.aspx>

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

**Senate Bill (S.B.) 459]**



JOE LOMBARDO, GOVERNOR  
DR. KRISTOPHER SANCHEZ, DIRECTOR  
BRETT HARRIS, LABOR COMMISSIONER

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

Las Vegas:  
3340 WEST SAHARA AVENUE, LAS VEGAS, NEVADA 89102  
PHONE (702) 486-2650 FAX (702) 486-2660



# DISCRIMINATION

## NEVADA EQUAL RIGHTS COMMISSION NEVADA LAW PROHIBITS DISCRIMINATION



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

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



1820 East Sahara Avenue,  
Suite 314  
Las Vegas, NV 89104  
**702.486.7161**

1325 Corporate Blvd.,  
Room 115  
Reno, NV 89502  
**775.823.6690**

Relay 711 or 800.326.6868

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

[www.nvdetr.org](http://www.nvdetr.org)

Rev. 12.14

# UNEMPLOYMENT INSURANCE

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

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

## NOTICE TO EMPLOYEES

**The employees of this establishment are protected by Unemployment Insurance. This employer is required by law to contribute to the Nevada Unemployment Compensation Fund. No part of the contribution is deducted from the wages of employees.**

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

- File an unemployment insurance claim online or by calling the nearest Nevada Telephone Claim Center, as shown below, for full or partial unemployment benefits.
- Request employment services from the nearest Nevada JobConnect Career Center or find employment information online at [www.NevadaJobConnect.com](http://www.NevadaJobConnect.com). If you are disabled and require assistance, contact the Nevada JobConnect Career Center prior to your visit to arrange special accommodations.

**To be eligible for unemployment benefits an unemployed person must:**

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

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

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

To file a claim for unemployment benefits call the Telephone Claim Center:

In Southern Nevada call (702) 486-0350

In Northern Nevada call (775) 684-0350

In Rural Nevada call toll-free (888) 890-8211

OR File online at <http://ui.nv.gov/>

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



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



NUCS-4324 (Rev 04/14)

# EMERGENCY PHONE NUMBER

## EMERGENCY PHONE NUMBERS FOR

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(Please Give Exact Address of This Worksite Location)

Physicians: 911 \_\_\_\_\_

Hospitals: 911 \_\_\_\_\_

Ambulances: 911 or \_\_\_\_\_

Fire Department: 911 or \_\_\_\_\_

Police: 911 or \_\_\_\_\_

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

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

# RULES TO BE OBSERVED BY EMPLOYERS



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

JOE LOMBARDO  
Governor  
DR. KRISTOPHER SANCHEZ  
Director  
BRETT HARRIS, ESQ  
Labor Commissioner

## 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 5/30/2024

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

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

1. Discharge of employee: Whenever an employer discharges an employee, the wages and compensation earned and unpaid at the time of such discharge shall become due and payable immediately.
2. Quitting employee: Whenever an employee resigns or quits his employment, the wages and compensation earned and unpaid at the time of his resignation or quitting must be paid no later than the day on which he would have regularly been paid or 7 days after he resigns or quits, whichever is earlier.
3. An employer shall not employ an employee for a continuous period of 8 hours without permitting the employee to have an uninterrupted meal period of at least one-half hour. Every employer shall authorize and permit covered employees to take rest periods in the middle of each work period or as close to the middle of the work period as possible. The duration of the rest periods shall be based on the total hours worked daily at the rate of 10 minutes for each 4 hours or major fraction thereof. Authorized rest periods shall be counted as hours worked, for which there shall be no deduction from wages.
4. Effective July 1, 2023, each employer shall pay a wage to each employee of not less than \$10.25 per hour worked if the employer offers qualified health benefits, or \$11.25 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 against the minimum wage rates or the 10 percent premium for qualified health benefits. See [https://labor.nv.gov/Employer/Employer\\_Posters/](https://labor.nv.gov/Employer/Employer_Posters/) for Annual Minimum Wage notice.
5. Effective July 1, 2024, each employer shall pay a wage to each employee of not less than \$12.00 per hour worked. Pursuant to Article 15, Section 16(a) of the Constitution of the State of Nevada, and Assembly Bill (AB) 456 passed in 2019 during the 80th regular session of the Nevada Legislature, the above minimum wage rate shall apply to all employees in the State of Nevada unless otherwise exempted. This rate applies to all employees regardless of offered employer health benefits.
6. An employer shall pay 1 1/2 times an employee's regular wage rate whenever an employee whose wage rate is less than 1 1/2 times the minimum wage:  
(a) Works more than 40 hours in any scheduled week of work; or (b) Works more than 8 hours in any workday unless by mutual agreement the employee works a scheduled 10 hours per day for 4 calendar days within any scheduled week of work.  
An employer shall pay 1 1/2 times an employee's regular wage rate whenever an employee whose wage rate is 1 1/2 times, or more than the minimum wage works more than 40 hours in any scheduled week of work. See [https://labor.nv.gov/Employer/Employer\\_Posters/](https://labor.nv.gov/Employer/Employer_Posters/) for Annual Daily Overtime notice.  
The above provisions do not apply to: (a) Employees who are not covered by the minimum wage provisions of the Constitution (b) Outside buyers; (c) Employees in a retail or service business if their regular rate is more than 1 1/2 times the minimum wage, and more than half their compensation for a representative period comes from commissions on goods or services, with the representative period being, to the extent allowed pursuant to federal law, not less than one month; (d) Employees who are employed in bona fide executive, administrative or professional capacities; (e) Employees covered by collective bargaining agreements which provide otherwise for overtime; (f) Drivers, drivers' helpers, loaders and mechanics for motor carriers subject to the Motor Carrier Act of 1935, as amended; (g) Employees of a railroad; (h) Employees of a carrier by air; (i) Drivers or drivers' helpers making local deliveries and paid on a trip-rate basis or other delivery payment plan; (j) Drivers of taxicabs or limousines; (k) Agricultural employees; (l) Employees of business enterprises having a gross sales volume of less than \$250,000 per year; (m) Any salesman or mechanic primarily engaged in selling or servicing automobiles, trucks or farm equipment; and (n) A mechanic or workman for any hours to which the provisions of subsection 3 or 4 of **NRS 338.020** apply. (o) A domestic worker who resides in the household where he or she works if the domestic worker and his or her employer agree in writing to exempt the domestic worker from the requirements of subsections 1 and 2. 4. As used in this section, "domestic worker" has the meaning ascribed to it in section 6 of this act.
7. If mutually agreed upon by an employee and employer in writing to exclude from the employee's wages a regularly scheduled sleeping period not to exceed 8 hours if adequate sleeping facilities are furnished pursuant to NRS section 608.0195.
8. Every employer shall establish and maintain records of wages for the benefit of his employees, showing for each pay period the following information for each employee: (a) Gross wage or salary; (b) Deductions agreed to in writing by the employer and employee for a specific purpose, pay period, and amount; (c) Net cash wage or salary; (d) Total hours employed in the pay period by noting the number of hours per day; (e) Date of payment.
9. Wages must be paid semimonthly or more often.
10. Every employer shall establish and maintain regular paydays and shall post a notice setting forth those regular paydays in 2 conspicuous places. After an employer establishes regular 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.
11. It is unlawful for any person to take all or part of any tips or gratuities bestowed upon his employees. Nothing contained in this section shall be construed to prevent such employees from entering into an agreement to divide such tips or gratuities among themselves.
12. An employer may not require an employee to rebate, refund or return any part of his or her wage, salary or compensation. Also, an employer may not withhold or deduct any portion of such wages unless it is for the benefit of, and authorized by written order of the employee. Further, it is unlawful for any employer who has the legal authority to decrease the wage, salary or compensation of an employee to implement such a decrease unless: (a) Not less than 7 days before the employee performs any work at the decreased wage, salary or compensation, the employer provides the employee with written notice of the decrease; or (b) The employer complies with the requirements relating to the decrease that are imposed on the employer pursuant to the provisions of any collective bargaining agreement or any contract between the employer and the employee.
13. All uniforms or accessories distinctive as to style, color or material shall be furnished, without cost, to employees by their employer. If a uniform or accessory requires a special cleaning process, and cannot be easily laundered by an employee, such employee's employer shall clean such uniform or accessory without cost to such employee.
14. An employer: (a) Shall not require an employee to be physically present at his or her place of work in order to notify his or her employer that he or she is sick or has sustained an injury that is not work-related and cannot work; (b) May require an employee to notify the employer that he or she is sick or injured and cannot report for work.
15. An employer in private employment with not less than 50 employees shall provide paid leave to each employee of the employer pursuant to the provisions of NRS section 608.0197 as follows: A. An employee is entitled to at least 0.01923 hours of paid leave for each hour of work performed. B. Paid leave accrued may carry over for each employee between his or her benefit years of employment, except an employer may limit the amount of paid leave for each employee carried over to a maximum of 40 hours per benefit year. C. An employer shall: (1) Compensate an employee for the paid leave available for use by that employee at the rate of pay at which the employee is compensated at the time such leave is taken; and (2) Pay such compensation on the same payday as the hours taken are

# RULES TO BE OBSERVED BY EMPLOYERS (Continued)

- normally paid. (See NRS section 608.0197 and Senate Bill 312 (2019) for full requirements and exceptions)
16. In addition to the leave provided in NRS section 608.0197 an employer shall provide 2 to 4 hours of paid leave to obtain a vaccination for COVID-19. Please see Senate bill 209 – 2021 Legislative Session for the full provisions. <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7670/Text#>
17. NRS section 608.0197 subsection 2(b) states: An employer shall allow an employee to use paid leave for any use, including, without limitation: (1) Treatment of a mental or physical illness, injury, or health condition. (2) Receiving a medical diagnosis or medical care. (3) Receiving or participating in preventative care. (4) Participating in caregiving; or (5) Addressing other personal needs related to the health of the employee. (See Senate Bill 209 – 2021 Legislative Session)
18. NRS 608.0198 Employee entitled to leave related to domestic violence; uses of leave; prohibited acts; required documentation; Labor Commissioner to prepare bulletin; posting; maintenance of records; other rights, remedies and agreements unimpaired.
1. An employee who has been employed by an employer for at least 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:
- (a) May be paid or unpaid by the employer;
- (b) Must be used within the 12 months immediately following the date on which the act which constitutes domestic violence occurred;
- (c) May be used consecutively or intermittently; and
- (d) If used for a reason for which leave may also be taken pursuant to the Family and Medical Leave Act of 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:
- (a) An employee may use the hours of leave only:
- (1) For the diagnosis, care or treatment of a health condition related to an act which constitutes domestic violence committed against the employee or family or household member of the employee;
- (2) To obtain counseling or assistance related to an act which constitutes domestic violence committed against the employee or family or household member of the employee;
- (3) To participate in any court proceedings related to an act which constitutes domestic violence committed against the employee or family or household member of the employee; or
- (4) To establish a safety plan, including, without limitation, any action to increase the safety of the employee or the family or household member of the employee from a future act which constitutes domestic violence.
- (b) 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 any purpose listed in paragraph (a).
3. An employer shall not:
- (a) Deny an employee the right to use hours of leave in accordance with the conditions of this section;
- (b) Require an employee to find a replacement worker as a condition of using hours of leave; or
- (c) Retaliate against an employee for using hours of leave.
4. The employer of an employee who takes hours of leave pursuant to this section may require the employee to provide to the employer documentation that confirms or supports the reason the employee provided for requesting leave. Such documentation may include, without limitation, a police report, a copy of an application for an order for protection, an affidavit from an organization which provides services to victims of domestic violence or documentation from a physician. Any documentation provided to an employer pursuant to this subsection is confidential and must be retained by the employer in a manner consistent with the requirements of the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et seq.
5. The Labor Commissioner shall prepare a bulletin which clearly sets forth the right to the benefits created by this section. The Labor Commissioner shall post the bulletin on the Internet website maintained by the Office of Labor Commissioner, if any, and shall require all employers to post the bulletin in a conspicuous location in each workplace maintained by the employer. The bulletin may be included in any printed abstract posted by the employer pursuant to NRS 608.013.
6. An employer shall maintain a record of the hours of leave taken pursuant to this section for each employee for a 2-year period following the entry of such information in the record and, upon request, shall make those records available for inspection by the Labor Commissioner. The employer shall exclude the names of the employees from the records, unless a request for a record is for the purpose of an investigation.
7. The provisions of this section do not:
- (a) Limit or abridge any other rights, remedies or procedures available under the law.
- (b) Negate any other rights, remedies or procedures available to an aggrieved party.
- (c) Prohibit, preempt or discourage any contract or other agreement that provides a more generous leave benefit or paid leave benefit.
8. As used in this section:
- (a) "Domestic violence" has the meaning ascribed to it in NRS 33.018.
- (b) "Family or household member" means a:
- (1) Spouse;
- (2) Domestic partner;
- (3) Minor child; or
- (4) Parent or other adult person who is related within the first degree of consanguinity or affinity to the employee, or other adult person who is or was actually residing with the employee at the time of the act which constitutes domestic violence.
- (Added to NRS by 2017, 3176)
19. An employer in private employment shall post the required bulletins and notices available at: [https://labor.nv.gov/Employer/Employer\\_Posters/](https://labor.nv.gov/Employer/Employer_Posters/)
20. Senate Bill 386, cited as the "Nevada Hospitality and Travel Workers Right to Return Act", requires certain employers to offer job positions to certain employees under certain conditions. This bill requires that certain employees have an opportunity to return to their jobs when circumstances permit. See this link regarding preliminary guidance on this bill. [Senate Bill 386 Preliminary Guidance \(nv.gov\)](#).
21. Senate Bill 293 prohibits an employer or employment agency from seeking or relying on the wage or salary history of an applicant for employment; prohibits an employer or employment agency from refusing to interview, hire, promote or employ an applicant or from discriminating or retaliating against an applicant if the applicant does not provide wage or salary history. [SB293 Overview \(state.nv.us\)](#)

For additional information please visit: [WWW.LABOR.NV.GOV](http://WWW.LABOR.NV.GOV)

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

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

[www.labor.nv.gov](http://www.labor.nv.gov)

[mail1@labor.nv.gov](mailto:mail1@labor.nv.gov)

# 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).

An **employee** is broadly defined as, "... every person in the service of an employer under any appointment or contract of hire or apprenticeship, express or implied, oral or written, whether lawfully or unlawfully employed" (See NRS 616A.105), but excludes casual employees not in the same trade, business, profession or occupation; persons engaged as a theatrical or stage performer or in an exhibition; musicians not lasting more than 2 consecutive days; household servants, farming and ranching employees; voluntary ski patrol; sports officials paid a nominal fee; clergy, rabbi or lay readers; real estate brokers or sales persons; and commissioned sales persons (See NRS 616A.110).

An **independent contractor** is a person who is hired and paid solely to produce a result. It is defined as, "... any person who renders service for a specified recompense for a specified result, under the control of the person's principal as to the result of the person's work only and not as to the means by which such result is accomplished." See NRS 616A.255.

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



## WORKERS' COMPENSATION (Continued)

**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.

**Employee's Claim for Compensation/Report of Initial Treatment (Form C-4):** If medical treatment is sought, the Form C-4 is available at the place of initial treatment. A completed Form C-4 must be filed within 90 days after an accident or OD. The treating physician, chiropractic physician, physician assistant or advanced practice nurse 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 chiropractic physician 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 a contract with an MCO or PPO, you may select a physician or chiropractic physician from the Panel of Physicians and Chiropractic Physicians. 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 chiropractic physician 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 chiropractic physician 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.

**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



## WORKERS' COMPENSATION (Continued)

must do so within 30 days of the Appeals 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 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.

**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, 1886 East College Pkwy. Ste. 100, Carson City, NV 89706, 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, 7150 Pollock Drive, Las Vegas, NV 89119, Toll Free 1-888-333-1597, Website: [https://adsd.nv.gov/Programs/CHA/Office for Consumer Health Assistance \(OCHA\)/](https://adsd.nv.gov/Programs/CHA/Office%20for%20Consumer%20Health%20Assistance%20(OCHA)/), E-mail [cha@govcha.nv.gov](mailto:cha@govcha.nv.gov)

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

Insurer/Administrator: The Hartford

Contact Person: \_\_\_\_\_

Address: One Hartford Plaza Hartford, CT 06155

Telephone Number: 800-327-3636

City State Zip

MCO/Health Care Provider: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

City State Zip

D-1 (rev. 02/24)

# PAYDAY NOTICE

## ATTENTION EMPLOYEES: PAYDAY NOTICE

•The regular pay days for employees of: WMBE Payrolling. Inc. dba TCWGlobal  
(Company Name)

Shall be: Every Thursday / /

•Pay checks will be distributed at: Direct deposit or Rapid Paycard

If you have any questions regarding your paycheck please contact: internalhr@tcwglobal.com

858-810-3000

(Contact Name & Phone Number)

**Title 53, Chapter 608, NRS 608.080 Please Post in a Conspicuous Area**

# NURSING MOTHER'S ACCOMMODATION ACT

STATE OF NEVADA Department of Business & Industry  
OFFICE OF THE LABOR COMMISSIONER - [www.labor.nv.gov](http://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](https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB113_EN.pdf)

### **Requirements of Assembly Bill 113:**

1. Except as otherwise provided in subsections 3, 5 and 6 (see below), each employer shall provide an employee who is the mother of a child under 1 year of age with:
  - (a) Reasonable break time, with or without compensation, for the employee to express breast milk as needed; and
  - (b) A place, other than a bathroom, that is reasonably free from dirt or pollution, which is protected from the view of others and free from intrusion by others where the employee may express breast milk.
2. If break time is required to be compensated pursuant to a collective bargaining agreement entered into by an employer and an employee organization, any break time taken pursuant to subsection 1 by an employee which is covered by the collective bargaining agreement must be compensated.
4. An employer shall not retaliate, or direct or encourage another person to retaliate, against any employee because that employee has:
  - (a) Taken break time or used the space provided pursuant to subsection 1 or 3 to express breast milk; or
  - (b) Taken any action to require the employer to comply with the requirements of this section, including, without limitation, filing a complaint, testifying, assisting or participating in any manner in an investigation, proceeding or hearing to enforce the provisions of this section.

### **Exceptions (set forth in subsections 3, 5, and 6 of Assembly Bill 113):**

3. If an employer determines that complying with the provisions of subsection 1 will cause an undue hardship considering the size, financial resources, nature and structure of the business of the employer, the employer may meet with the employee to agree upon a reasonable alternative. If the parties are not able to reach an agreement, the employer may require the employee to accept a reasonable alternative selected by the employer.
5. An employer who employs fewer than 50 employees is not subject to the requirements of this section if these requirements would impose an undue hardship on the employer, considering the size, financial resources, nature and structure of the business of the employer.
6. An employer who is a contractor licensed pursuant to chapter 624 of NRS is not subject to the requirements of this section with regard to an employee who is performing work at a construction jobsite that is located at least 3 miles from the regular place of business of the employer.

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

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

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

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>

### **OFFICE OF THE LABOR COMMISSIONER**

1818 COLLEGE PARKWAY, SUITE 102, CARSON CITY, NV 89706  
PHONE: (775) 684-1890 • FAX: (775) 687-6409

3300 WEST SAHARA AVENUE, SUITE 225 LAS VEGAS, NEVADA 89102  
PHONE: (702) 486-2650 • FAX: (702) 486-2660

BRIAN SANDOVAL, GOVERNOR • BRUCE BRESLOW, DIRECTOR • SHANNON CHAMBERS, LABOR COMMISSIONER



# DOMESTIC VIOLENCE VICTIMS BULLETIN

STATE OF NEVADA Department of Business & Industry - OFFICE OF THE LABOR COMMISSIONER - [www.labor.nv.gov](http://www.labor.nv.gov)

## DOMESTIC VIOLENCE & SEXUAL ASSAULT VICTIMS' LEAVE BULLETIN

EFFECTIVE January 1, 2024

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

1. An employee who has been employed by an employer for at least 90 days and who is a victim of an act which constitutes domestic violence or sexual assault, or whose family or household member is a victim of an act which constitutes domestic violence or sexual assault, and the employee is not the alleged perpetrator, is entitled to not more than 160 hours of leave in one 12-month period. Hours of leave provided pursuant to this subsection:
  - (a) May be paid or unpaid by the employer; (b) Must be used within the 12 months immediately following the date on which the act which constitutes domestic violence or sexual assault occurred; (c) May be used consecutively or intermittently; and (d) If used for a reason for which leave may also be taken pursuant to the Family and Medical Leave Act of 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:
  - (a) An employee may use the hours of leave only:
    - (1) For the diagnosis, care or treatment of a health condition related to an act which constitutes domestic violence or sexual assault committed against the employee or a family or household member of the employee; (2) To obtain counseling or assistance related to an action which constitutes domestic violence or sexual assault committed against the employee or a family or household member of the employee; (3) To participate in court proceedings related to an act which constitutes domestic violence or sexual assault committed against the employee or a family or household member of the employee; (4) To establish a safety plan, including, without limitation, any action to increase the safety of the employee or the family or household member of the employee from a future act which constitutes domestic violence or sexual assault.
  - (b) After taking any hours of leave upon the occurrence of the action which constitutes domestic violence or sexual assault, 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 listed in paragraph (a).
3. An employer shall not:
  - (a) Deny an employee the right to use hours of leave in accordance with the conditions of this section; (b) Require an employee to find a replacement worker as a condition of using hours of leave; or (c) Retaliate against an employee for using hours of leave.
4. The employer of an employee who takes hours of leave pursuant to this section may require the employee to provide to the employer documentation that confirms or supports the reason the employee provided for requesting leave. Such documentation may include, without limitation, a police report, a copy of an application for an order for protection, an affidavit from an organization which provides services to victims of domestic violence or sexual assault or documentation from a physician. Any documentation provided to an employer pursuant to this subsection is confidential and must be retained by the employer in a manner consistent with the requirements of the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et seq.
5. The Labor Commissioner shall prepare a bulletin which clearly sets forth the right to the benefits created by this section. The Labor Commissioner shall post the bulletin on the Internet website maintained by the Office of Labor Commissioner, if any, and shall require all employers to post the bulletin in a conspicuous location in each workplace maintained by the employer. The bulletin may be included in any printed abstract posted by the employer pursuant to NRS 608.013.
6. An employer shall maintain a record of the hours of leave taken pursuant to this section for each employee for a 2-year period following the entry of such information in the record and, upon request, shall make those records available for inspection by the Labor Commissioner. The employer shall exclude the names of the employees from the records, unless a request for a record is for the purpose of an investigation.
7. The provisions of this section do not:
  - (a) Limit or abridge any other rights, remedies or procedures available under the law. (b) Negate any other rights, remedies or procedures available to an aggrieved party. (c) Prohibit, preempt or discourage any contract or other agreement that provides a more generous leave benefit or paid leave benefit.
8. As used in this section:
  - (a) "Domestic violence" has the meaning ascribed to it in NRS 33.018. (b) "Family or household member" means a"
    - (1) Spouse; (2) Domestic Partner;
    - (3) Minor child; or (4) Parent or other adult person who is related within the first degree of consanguinity or affinity to the employee, or other adult person who is or was actually residing with the employee at the time of the act which constitutes domestic violence or sexual assault.
  - (c) "Sexual assault" has the meaning ascribed to it in NRS 200.366.

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

### OFFICE OF THE LABOR COMMISSIONER

1818 COLLEGE PARKWAY, SUITE 102. CARSON CITY, NV 89706  
PHONE: (775) 684-1890 FAX: (775) 687-6409

### OFFICE OF THE LABOR COMMISSIONER

3300 WEST SAHARA AVENUE, SUITE 225. LAS VEGAS, NEVADA 89102  
PHONE: (702) 486-2650 FAX: (702) 486-2660

JOE LOMBARDO, GOVERNOR • DR. KRISTOPHER SANCHEZ, DIRECTOR • BRETT HARRIS, LABOR COMMISSIONER



OLC 01.01.2024

# PREGNANT WORKERS' FAIRNESS ACT

## NEVADA PREGNANT WORKERS' FAIRNESS ACT

Pursuant to NRS 613.335 and sections 2 to 8, inclusive, of the Nevada Pregnant Workers' Fairness Act (effective October 1, 2017) employees have the right to be free from discriminatory or unlawful employment practices based on pregnancy, childbirth, or a related medical condition.

### **Under the Act, it is unlawful for employers to:**

- Deny a reasonable accommodation to female employees and applicants, upon request, for a condition related to pregnancy, childbirth, or a related medical condition, unless an accommodation would impose an undue hardship on the business of the employer.
- Take adverse employment actions against a female employee because the employee requests or uses a reasonable accommodation.
- Deny an employment opportunity to a qualified female employee or applicant based on a need for a reasonable accommodation.
- Require a female employee or applicant to accept an accommodation that the employee or applicant did not request or chooses not to accept or to take leave from employment if an accommodation is available.

### **Under the act, an employer may:**

Require a female employee to submit written medical certification from the employee's physician substantiating the need for an accommodation because of pregnancy, childbirth, or related medical conditions, and the specific accommodation recommended by the physician.

### **For further information regarding the Act, contact the Nevada Equal Rights Commission.**

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



[www.nvdetr.org](http://www.nvdetr.org)

1820 East Sahara Avenue, Suite 314  
Las Vegas, NV 89104  
Phone (702) 486-7161

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

# FEDERAL MINIMUM WAGE

## EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

# FEDERAL MINIMUM WAGE \$7.25

PER HOUR  
BEGINNING  
JULY 24, 2009

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 40 in a workweek.

**CHILD LABOR** An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

**TIP CREDIT** Employers of “tipped employees” who meet certain conditions may claim a partial wage credit based on tips received by their 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 cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

**NURSING 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 from coworkers and the public, which may be used by the employee to express breast milk.

**ENFORCEMENT** The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA’s child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

### ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at work requirements.
- 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.
- Some employers incorrectly classify workers as “independent contractors” when they 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 Department of Labor.



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243  
[www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)



WH1088 REV 04/23



# EEOC - Know Your Rights: Workplace Discrimination is Illegal



## Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

### Who is Protected?

- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union

### What Organizations are Covered?

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

### What Types of Employment Discrimination are Illegal?

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing

discrimination, or participating in a discrimination lawsuit, investigation, or proceeding

- Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

### What Employment Practices can be Challenged as Discriminatory?

All aspects of employment, including:

- Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment
- Pay (unequal wages or compensation)
- Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; or a sincerely-held religious belief, observance or practice
- Benefits
- Job training
- Classification
- Referral
- Obtaining or disclosing genetic information of employees
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding

- Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation

### What can You Do if You Believe Discrimination has Occurred?

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

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

**Call** 1-800-669-4000 (toll free)  
1-800-669-6820 (TTY)  
1-844-234-5122 (ASL video phone)

**Visit** an EEOC field office (information at [www.eeoc.gov/field-office](http://www.eeoc.gov/field-office))

**E-Mail** [info@eeoc.gov](mailto:info@eeoc.gov)

Additional information about the EEOC, including information about filing a charge of discrimination, is available at [www.eeoc.gov](http://www.eeoc.gov).



## EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:

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

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

**Disability** Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

**Protected Veteran Status** The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

**Retaliation** Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210  
1-800-397-6251 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at

<https://ofccphelpdesk.dol.gov/s/>, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at <https://www.dol.gov/agencies/ofccp/contact>.

## PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

**Race, Color, National Origin, Sex** In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

**Individuals with Disabilities** Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job. If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

(Revised 6/27/2023)



## Your Employee Rights Under the Family and Medical Leave Act

**What is FMLA leave?** The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

**Am I eligible to take FMLA leave?** You are an **eligible employee** if **all** of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if **one** of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

**How do I request FMLA leave?** Generally, **to request FMLA leave you must:**

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

**What does my employer need to do?** If you are eligible for FMLA leave, your **employer must:**

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your **employer must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, your **employer must notify you in writing:**

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

**Where can I find more information?**

Call **1-866-487-9243** or visit [dol.gov/fmla](https://dol.gov/fmla) to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR



WH1420 REV 04/23

# USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT



## YOUR RIGHTS UNDER USERRA

### THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

#### REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

#### RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- are a past or present member of the uniformed service;
- have applied for membership in the uniformed service; or
- are obligated to serve in the uniformed service;

then an employer may not deny you:

- initial employment;
- reemployment;
- retention in employment;
- promotion; or
- any benefit of employment

because of this status.

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 proceeding under USERRA, even if that person has no service connection.

#### HEALTH INSURANCE PROTECTION

- If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- Even if you don't elect to continue coverage during your military service, you have the right to be 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 injuries.

#### ENFORCEMENT

- The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
- For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at <https://www.dol.gov/agencies/vets/>. An interactive online USERRA Advisor can be viewed at <https://webapps.dol.gov/elaws/vets/userra>
- If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.
- You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

Publication Date — May 2022

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: <https://www.dol.gov/agencies/vets/programs/userra/poster> Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.



U.S. Department of Labor  
1-866-487-2365



U.S. Department of Justice



Office of Special Counsel



Employer Support Of The Guard  
And Reserve 1-800-336-4590

# EMPLOYEE POLYGRAPH PROTECTION ACT

## EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT

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

**PROHIBITIONS** 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.

**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 polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (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 to the employer. The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

**EXAMINEE RIGHTS** Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

**ENFORCEMENT** The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

**THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.**



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243  
[www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)



WH1462 REV 02/22

## ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

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For information, please contact  
The Office of Special Counsel for Immigration  
Related Unfair Employment Practices Office at  
800-255-7688.

# WITHHOLDING STATUS

## Since you last filed form W-4 with your employer did you...

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

## Were there major changes to...

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

## If you can answer “YES”...

To any of these questions or you owed extra tax when you filed your last return, you may need to file a new form W-4. See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676.

Now is the time to check your withholding. For more details, get Publication 919, *How Do I Adjust My Tax Withholding?*, or use the Withholding Calculator at: **[www.irs.gov/individuals](http://www.irs.gov/individuals)** on the IRS website.

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



Department of the Treasury  
**Internal Revenue Service**

**[www.irs.gov](http://www.irs.gov)**

Publication 213  
(Rev. 8-2009)  
Cat. No. 11047P

# PAYDAY NOTICE

## Regular Paydays for Employees of

WMBE Payrolling, Inc. dba TCWGlobal

*(Company Name)*

***Shall be as follows:***

***Weekly***

***Bi-Weekly***

***Monthly***

***Other*** \_\_\_\_\_

By: \_\_\_\_\_ Meagan Guzman

Title: \_\_\_\_\_ Director HR Compliance