EMPLOYEE RIGHTS
UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

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

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

BENEFITS & PROTECTIONS

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

*Special "hours of service" requirements apply to airline flight crew employees.

REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

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.

For additional information or to file a complaint:

1-866-4-USWAGE

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

www.dol.gov/whd

U.S. Department of Labor | Wage and Hour Division

Ref.: 29 USC, Ch. 28, Sec. 2619

WH1420 REV 04/16

STATE OF NEVADA

STEVE SISOLAK
GOVERNOR

MICHAEL J. BROWN
DIRECTOR

SHANNON M. CHAMBERS
LABOR COMMISSIONER

OFFICE OF THE LABOR COMMISSIONER
7300 WEST SAHARA AVENUE, SUITE 225
LAS VEGAS, NEVADA 89102
PHONE: (702) 486-2650
FAX (702) 486-2660

OFFICE OF THE LABOR COMMISSIONER
1818 COLLEGE PARKWAY, SUITE 102
CARSON CITY, NEVADA 89706
PHONE: (775) 684-1890
FAX (775) 687-6409

Department of Business & Industry
OFFICE OF THE LABOR COMMISSIONER
www.labor.nv.gov

DOMESTIC VIOLENCE BULLETIN

EFFECTIVE January 1, 2018

NRS 608.0198

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 a family or household member of the employee;
      (2) To obtain counseling or assistance related to an action which constitutes domestic violence committed against the employee or a family or household member of the employee;
      (3) To participate in court proceedings related to an act which constitutes domestic violence committed against the employee or a family or household member of the employee;
      (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 action which constitutes domestic violence, an employee shall give not less than 48 hours advance notice to his or her employer of the need to use additional hours of leave for any purpose 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.

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.

OLC 2019

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 1½ times the 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.
- 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
TTY: 1-877-889-5627
www.dol.gov/whd

WH1300 REV 07/16

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
TTY: 1-877-889-5627
www.dol.gov/whd

WH1462 REV 07/16

STATE OF NEVADA

STEVE SISOLAK
GOVERNOR

TERRY REYNOLDS
DIRECTOR

SHANNON M. CHAMBERS
LABOR COMMISSIONER

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

Department of Business & Industry
OFFICE OF THE LABOR COMMISSIONER
www.labor.nv.gov

STATE OF NEVADA
MINIMUM WAGE
2020 ANNUAL BULLETIN
POSTED APRIL 1, 2020

PURSUANT TO ARTICLE 15, SECTION 16(A) OF THE CONSTITUTION OF THE STATE OF NEVADA AND ASSEMBLY BILL (AB) 456, THE FOLLOWING MINIMUM WAGE RATES SHALL APPLY TO ALL EMPLOYEES IN THE STATE OF NEVADA UNLESS OTHERWISE EXEMPTED. THESE RATES ARE EFFECTIVE AS OF JULY 1, 2020 AND WILL INCREASE AS SET FORTH BELOW UNTIL JULY 1, 2024

FOR EMPLOYEES TO WHOM QUALIFYING HEALTH BENEFITS HAVE BEEN OFFERED/MADE AVAILABLE (*PLEASE ALSO SEE SENATE BILL 192*) BY THE EMPLOYER THE LOWER TIER RATE MAY BE PAID.

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

Effective Date	Lower Tier	Higher Tier
July 1, 2020	$8.00	$9.00
July 1, 2021	$8.75	$9.75
July 1, 2022	$9.50	$10.50
July 1, 2023	$10.25	$11.25
July 1, 2024	$11.00	$12.00

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

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

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

STEVE SISOLAK
GOVERNOR

TERRY REYNOLDS
DIRECTOR

SHANNON M. CHAMBERS
LABOR COMMISSIONER

STATE OF NEVADA

REPLY TO:

☐ OFFICE OF THE LABOR COMMISSIONER
1818 E. COLLEGE PARKWAY, SUITE 102
CARSON CITY, NEVADA 89706
TELEPHONE: (775) 684-1890
FACSIMILE: (775) 687-6409

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

Department of Business & Industry
OFFICE OF THE LABOR COMMISSIONER
www.labor.nv.gov

STATE OF NEVADA
DAILY OVERTIME
2020 ANNUAL BULLETIN
POSTED APRIL 1, 2020

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

THE FOLLOWING AMOUNTS ARE THE WAGE RATES BELOW FOR WHICH DAILY OVERTIME MAY BE APPLICABLE. THESE RATES ARE EFFECTIVE AS OF JULY 1, 2020.

EMPLOYEES WHO EARN LESS THAN $12.00 PER HOUR (OFFERED QUALIFIED HEALTH BENEFITS) OR LESS THAN $13.50 PER HOUR (NOT OFFERED QUALIFIED HEALTH BENEFITS) ARE ELIGIBLE FOR OVERTIME AT ONE AND A HALF 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 RATES ABOVE ARE ELIGIBLE FOR OVERTIME AT ONE AND A HALF TIMES THE EMPLOYEE'S REGULAR RATE OF PAY FOR OVER 40 HOURS OF WORK IN A WORK WEEK. THE EMPLOYER MUST VERIFY THE RATES ABOVE $12.00 PER HOUR AND $13.50 PER HOUR BASED ON QUALIFIED HEALTH BENEFITS BEING OFFERED OR NOT OFFERED TO EMPLOYEES TO PAY OVERTIME FOR OVER 40 HOURS OF WORK IN A WORK WEEK.

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

1818 East College Parkway, Suite 102
Carson City, Nevada 89706
(775) 684-1890
or
3300 West Sahara Avenue, Suite 225
Las Vegas, Nevada 89102
(702) 486-2650

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@labor.nv.gov

Ref.: NRS 613.460(2)

NOTICE TO EMPLOYEES

Pursuant to: **NRS 616B.227** **Election by employee to report his tips; effect; regulation.**

1. For the purpose of workers' compensation, an employee may elect to report the amount he receives as tips for the purpose of the calculation of compensation by submitting to his employer an Employee's Declaration of Election of Report Tips (form D-23). The employee must make his election separately for each pay period before the end of the next pay period. The declaration may not be amended.
2. Upon receipt of such notice the employer shall:
   (a) Make a copy of each report which the employee has filed with the employer to report the amount of his tips to the United States Internal Revenue Service or Employee's Declaration of Election to Report Tips;
   (b) Submit the copy to its workers' compensation insurer upon request, or if the employer is self-insured or an association of self-insured public or private employers, retain the copy for his records; and
   (c) If he is not self-insured, pay the insurer the premiums for the reported tips at the same rate as he pays on regular wages.
3. An employee who elects to report his tips is not eligible to receive increased compensation based on those tips until 3 months after his employer receives the Employee's Declaration of Election to Report Tips. For the purpose of workers' compensation, tips may be reported pursuant to 26 U.S.C. §6053(a) or on form D-23. The form for reporting tips D-23 can be obtained from your personnel office.

If the forms are not available, contact your employer or the Internal Revenue Service.

Ref.: NRS 616B.227

D-22 (rev. 7/99)

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. 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.

DETR Nevada Department of Employment, Training and Rehabilitation — NEVADA JobConnect

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

To file a claim for unemployment benefits call the Telephone Claim Center:
In Southern Nevada call (702) 486-0350
In Northern Nevada call (775) 684-0350
In Rural Nevada call toll-free (888) 890-8211
OR File online at http://ui.nv.gov/

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

NUCS-4324 (Rev 04/14)

Ref.: NRS 612.455

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.

NERC NEVADA EQUAL RIGHTS COMMISSION

www.nvdetr.org

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

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

Abel™

Equal Employment Opportunity is **THE LAW**

Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN
Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

DISABILITY
Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. 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.

AGE
The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

SEX (WAGES)
In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

GENETICS
Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

RETALIATION
All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED
There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected:
The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN
Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

INDIVIDUALS WITH DISABILITIES
Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. 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. 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.

DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

RETALIATION
Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above 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) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

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.

EEOC 9/02 and OFCCP 8/08 Versions Usable With 11/09 Supplement *EEOC-P/E-1 (Revised 11/09)*

EMERGENCY PHONE NUMBERS FOR

(Please Give Exact Address of This Worksite Location)

Physicians: _____ Hospitals: _____

Ambulances: 911 or _____ Fire Department: 911 or _____

Police: 911 or _____

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

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

Attention Nevada Employers
Re: Workers' Compensation

It is your responsibility as a Nevada employer to post the mandatory Workers' Compensation D-1 poster. (# 28301)

PAY DAY NOTICE

PAY DAY IS ON:

- ❑ MONDAY
- ❑ TUESDAY
- ❑ WEDNESDAY
- ❑ THURSDAY
- ❑ FRIDAY
- ❑ SATURDAY
- ❑ SUNDAY

PAY SCHEDULE IS:

- ❑ WEEKLY
- ❑ BIWEEKLY
- ❑ _____
- ❑ SEMI MONTHLY
- ❑ MONTHLY

PAYCHECKS ARE ISSUED ON THE:

_____ AND _____ OF THE MONTH

AT:_____

TIME:_____

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

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
Toll Free: 1-800-992-0900 Ext. 4850 Internet: www.labor.nv.gov

REVISED 6/11/2019

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

**For a copy of the