



## What is Minimum Wage in Nevada?

• Nevada is a two tier minimum wage system. Minimum wage is \$8.00 for employers who offer employees a qualified health benefit plan. \$9.00 must be paid if the employer does not offer a qualified health benefit plan. As of July 1, 2020, the minimum wage will increase by seventy-five cent increments and will cap at \$11.00 per hour for the lower tier rate and \$12.00 per hour for the higher tier rate, by July 1, 2024. Assembly Bill (AB) 456-2019

## When must a discharged employee be paid?

- A discharged employee's wages shall be due and payable immediately. Nevada Revised Statute (NRS) 608.020; However, they are not considered late until three days after the last day worked. (NRS 608.040)

## When must a quitting employee be paid?

- Final wages must be paid within seven days after the employee resigns or by the next regularly scheduled payday, whichever is earlier. (NRS 608.030)

## How often must breaks be given?

- An employee must be given a paid, 10 minute break for each 4 hour period of work. In addition, employees are entitled to an unpaid, 30 minute meal period for each 8 hour period of work. (NRS 608.019, Nevada Administrative Code (NAC) 608.145)

## Are salary employees automatically exempt from overtime?

• Salary employees are not automatically exempt from overtime and must meet an overtime exemption under NRS 608.018 and the Fair Labor Standards Act Fact Sheets.

<https://www.dol.gov/agencies/whd/flsa>

## How often must an employee be paid?

- Employees must be paid at least semi-monthly. (NRS 608.060)

## When does overtime need to be paid?

• If an employee makes less than one and one half times minimum wage (\$12.00/ \$13.50) per hour, the employee would be paid overtime for time worked over 8 hours in a 24-hour period. If an employee makes more than one and one half times minimum wage, the employee would be paid overtime for time worked over 40 hours in a week. The only exception is if an employee agrees to work 4, 10 hour shifts. However, any deviations from the 4-10 shift could cause overtime to accrue. (NRS 608.018)

## May an employer take a portion of an employee's tips?

• An employer may not take all or a part of any tips or gratuities or apply as a credit toward the payment of the minimum wage. (NRS 608.160)

## Must a sick employee report to work?

• No, an employee is not required to be physically present at work to notify his or her employer that he or she is sick or has sustained a non-work related injury and cannot work. AB 181-2019

## Can money be deducted from an employee's pay check?

• Deductions, other than those required by law and contributions to benefit programs, can only be deducted from an employee's paycheck if there is a prior specific signed authorization from the employee. The written authorization must include the specific amount being deducted, the purpose for the deduction, and the pay period/date in which the deduction will be made. (NRS 608.110 and NAC 608.160)

## Is Tip Pooling allowed under Nevada Law?

• Yes, employers may establish mandatory tip pools that include employees of different ranks, so long as all the tips are distributed amongst the employees, and the employer does not keep any portion of the tips for themselves. Wynn Las Vegas, LLC v. Baldonado, et al., 129 Nev., Advance Opinion 78 (Oct. 31, 2013).

## May an employer charge for uniforms?

• No, all uniforms or accessories distinctive as to style, color or material shall be furnished, without cost, to employees by their employer. (NRS 608.165)

## Must an employer provide paid leave?

• Effective January 1, 2020, yes, a private employer who employs 50 or more employees in the state of Nevada must provide 0.01923 hour of paid leave per hour of work performed. Senate Bill (SB) 312-2019.

\*Please review the most recent version of the Nevada Revised Statutes and/or Nevada Administrative Codes for the most current laws.\*

This information is not intended as legal advice.