



NEVADA DEPARTMENT OF
BUSINESS AND INDUSTRY

Office of the Labor Commissioner

Frequently Asked Questions

- **Q.)** What is Nevada's minimum wage rate?
A.) In the State of Nevada, the minimum wage is a tiered rate of \$8.25 or \$7.25. If employees are offered a qualified health insurance plan, they may be paid at the lower tier of \$7.25. If they are not offered insurance, they must be paid the higher tier of \$8.25. The employee does not have to accept the insurance to be paid at the lower tier. The employer is only required to offer it. (Article 15 of the Nevada Constitution).
- **Q.)** What is a qualified health insurance plan?
A.) You can refer to Nevada Administrative Code (NAC) sections 608.102 and NAC 608.104.
- **Q.)** When must an employee receive their final wages after a separation?
A.) If the employee quits employment, they must receive their final wages within 7 days or by the next regular pay day, whichever is earlier. If the employee is discharged, they must receive their final wages within 3 days (Nevada Revised Statutes 680.020-NRS 608.040). The calculation of days should exclude the first day and include the last unless the last day is a Saturday, Sunday, or legal holiday, in which case the next business day is the last day of the time limit.
- **Q.)** Do Salaried Employees receive overtime?
A.) There are exemptions to overtime pay, however, just because an employee is paid a salary rate, does not automatically exempt them from overtime. For a list of overtime exemptions, please review NRS 608.018 and the Fair Labor Standards Act fact sheets. <https://www.dol.gov/whd/flsa/>
- **Q.)** Does overtime have to be paid for any work performed over 8 hours in a day or over 40 hours in a week?
A.) If an employee makes less than one and one half times minimum wage (\$12.375/\$10.875) 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 rule could cause overtime to accrue (NRS 608.018).
- **Q.)** When can deductions be made to an employee's check?
A.) Deductions, other than those required by law and contributions to benefit programs, can only be deducted from your 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).
- **Q.)** How often does an employee have to receive a rest/meal break?
A.) 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).
- **Q.)** Can an employer lower an employee's rate of pay?
A.) Yes. However, the employer must provide the employee with a 7 day written notice before lowering their pay (NRS 608.100).
- **Q.)** How often are employees required to be paid?
A.) Nevada law requires employers to pay their employees at least twice a month (NRS 608.060).
- **Q.)** How are claims filed?
A.) Claims can be filed online by visiting our website at: [www. http://labor.nv.gov/](http://labor.nv.gov/) and selecting the Complaint Forms link.

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