



**DEPARTMENT OF BUSINESS AND INDUSTRY
OFFICE OF THE LABOR COMMISSIONER**

NOTICE OF INTENT TO ACT UPON REGULATIONS AND HEARING AGENDA
LCB File No. R185-24*

Notice of Hearing for the Adoption, Amendment, or Repeal of Regulations of the Department of Business and Industry, Office of the Labor Commissioner.

The State of Nevada, Department of Business and Industry, Office of the Labor Commissioner (OLC), will hold a public hearing on **Tuesday, March 3, 2026, at 9:00 A.M.**, in the following locations:

Nevada State Business Center 3300 West Sahara Avenue, 4th Floor Nevada Room Las Vegas, Nevada 89102
Division of Insurance (Office of the Labor Commissioner) 1818 College Parkway, 1st Floor, Suite 103 Conference Room Carson City, Nevada 89706
<u>Join from Microsoft Teams meeting link:</u> <u>https://teams.microsoft.com/meet/29383300048341?p=Bl166vRSfvftyGc2TF</u> <u>Meeting ID 293 833 000 483 41</u>
Join by phone: 775-321-6111, Teams phone conference ID 315 778 167#

*A copy of the proposed regulation language may be downloaded from the Office of the Labor Commissioner website: <https://labor.nv.gov/> About Us – Meetings and Agendas – Labor Commissioner Meetings/Workshops and Hearings.

The purpose of the hearing is to receive comments from all interested persons regarding the adoption, amendment, or repeal of regulations pertaining to Chapter 608 of the Nevada Administrative Code (NAC 608).

The following information is provided pursuant to the requirements of the Nevada Revised Statutes (NRS) 233B.0603 and the directives of the Nevada State Governor:

LCB File No. R185-24 – THE LABOR COMMISSIONER. A REGULATION relating to employment; specifying the minimum wage that an employer is required to pay an employee for each hour worked; requiring an employee to take certain actions before filing with the Labor Commissioner a claim or complaint for the payment of commissions owed; repealing certain obsolete regulations relating to the minimum wage; and providing other matters properly relating thereto.

(1) Why are the regulations necessary and what are their purposes?

At the 2022 Election voters approved to eliminate the two-tiered minimum wage and health insurance requirements and increased minimum wage to \$12.00 per hour effective July 1, 2024. The purpose of the Regulation is to reflect the current minimum wage of \$12.00 per hour and eliminate the previous two-tiered minimum wage and health insurance requirements in NAC 608.100 and to repeal NAC 608.102, 608.104, 608.106, 608.108 and 608.123 relating to NAC 608.100. The Regulations will also require commission-based employees to request unpaid commissions in writing and allow the employer to respond, pay, or settle before filing a wage claim.

(2) What are the terms or substances of the proposed regulations?

The regulations reflect the requirement for all employers to pay a minimum wage of \$12.00 per hour regardless of whether the employer provides health benefits to employees and will repeal certain obsolete regulations that were adopted prior to the effective date of July 1, 2024. The proposed regulation will also require employees to ask the employer in writing for unpaid commissions, and provide an accounting of the commissions owed, before filing a claim which will provide the necessary information for investigation.

(3) What is the anticipated impact of the regulations on the problem(s)?

The regulations will provide easier access for the public regarding the current and updated minimum wage requirements. Requiring the employee to ask for their commissions and provide an accounting of the commissions owed before filing a claim will reduce the number of commission claims received as the employee may get paid. If the employer does not agree and a claim is filed, this information will provide our office with the necessary information for investigation if they do not receive payment.

(4) Do other regulations address the same problem(s)?

NAC 608.102, 608.104, 608.106, 608.108 and 608.123 relating to previous health insurance requirements are being repealed. There are no other regulations that specifically address these issues set forth above relating to NAC 608 and the procedures, jurisdiction, and rules of practice of the Office of the Labor Commissioner.

(5) Are alternate forms of regulation sufficient to address the problem(s)?

There are no alternative forms of regulations sufficient to address the issues set forth above relating to NAC 608 and the procedures, jurisdiction, and rules of practice before the Office of the Labor Commissioner.

(6) What value do the regulations have for the public?

The regulations will accurately reflect the current state of Nevada minimum wage law, which provides crucial value to the public. The regulations will also provide the public an avenue to receive commissions owed potentially faster than going through the investigative process because all parties will be entitled to upfront clarity as to amounts allegedly owed.

(7) What is the anticipated economic benefit of the regulations?

a. Public.

1. Immediate: None.

2. Long Term: None.

b. Office of the Labor Commissioner.

- 1. Immediate: None.*
- 2. Long Term: None.*

c. Small Business.

- 1. Immediate: None.*
- 2. Long Term: None.*

d. Small Communities.

- 1. Immediate: None.*
- 2. Long Term: None.*

e. Government Entities.

- 1. Immediate: None.*
- 2. Long Term: None.*

(8) What is the anticipated adverse impact, if any?

a. Public.

- 1. Immediate: None.*
- 2. Long Term: None.*

b. Office of the Labor Commissioner.

- 1. Immediate: None.*
- 2. Long Term: None.*

c. Small Business.

- 1. Immediate: None.*
- 2. Long Term: None.*

d. Small Communities.

- 1. Immediate: None.*
- 2. Long Term: None.*

e. Government Entities.

- 1. Immediate: None.*
- 2. Long Term: None.*

(9) What is the anticipated cost of the regulations, both direct and indirect?

a. Enactment: None.

b. Enforcement: None.

c. Compliance: None.

10) Do the regulations establish a new fee or increase an existing fee?

The regulations do not establish a new fee or increase an existing fee.

(11) Provide a statement that identifies the methods used by the agency in determining the impact of the proposed regulation on small business, prepared pursuant to subsection 3 of NRS 233B.0608.

Not applicable.

(12) Provide a description of any regulations of the other state or local governmental agencies for which the proposed regulation overlaps or duplicates, and a statement explaining why the duplication or overlapping is necessary. If the regulations overlap or duplicate a federal regulation, state the name of the regulating federal agency.

Not applicable, as the regulations do not appear to overlap or duplicate existing state, local, or federal laws and/or agencies.

(13) If the regulations are required pursuant to federal law, provide a citation and description of the federal law.

Not applicable, as the regulations are not required pursuant to federal law.

(14) If the regulations includes provisions that are more stringent than a federal regulation, which regulates the same activity, provide a summary of such provisions.

Federal minimum wage is currently \$7.25/hr. Nevada minimum wage is more stringent at \$12.00/hr. Federal regulation does not require an employee to request payment of their commissions due in writing before filing a claim.

HEARING AGENDA

1. Open Hearing

2. Public Comment

3. Presentation, Discussion, and Adoption of Proposed Regulations. *(For Possible Action)*

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4. Public Comment

5. Close Hearing

Note: Any agenda item may be taken out of order; items may be combined for consideration by the public body; items may be pulled or removed from the agenda at any time; and discussion relating to an item may be delayed or continued at any time. The Labor Commissioner, within her discretion may allow for public comment on individual agenda items. Public comments may be limited to three minutes per speaker.

Members of the public who are disabled and require special accommodations or assistance at the hearing are requested to notify Eileen Woltz, Chief Assistant, Office of the Labor Commissioner, at 3340 West Sahara Avenue, Las Vegas, Nevada 89102, or via email to ewoltz@labor.nv.gov no later than five (5) working days before the hearing.

Persons wishing to comment upon the proposed actions of the Office of the Labor Commissioner may appear at the scheduled public hearing, or by joining via Microsoft Teams link, or dialing/calling into the call-in number above, or may address their comments, data, views, or arguments, in written form,

to the Office of the Labor Commissioner, 3340 West Sahara Avenue, Las Vegas, NV 89102 or email ewoltz@labor.nv.gov. **Written submissions must be received by the Office of the Labor Commissioner before close of business on February 17, 2026.** If no person who is affected by the proposed action appears to request time to make an oral presentation, the Office of the Labor Commissioner may proceed immediately to act upon any written submissions.

Upon adoption of any regulation, the Office of the Labor Commissioner, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against this adoption.

Notice of the hearing has been provided as follows:

Office of the Labor Commissioner
1818 College Parkway, Suite 102 - Lobby
Carson City, NV 89706

Office of the Labor Commissioner
3340 West Sahara Avenue - Lobby
Las Vegas, NV 89102

Nevada State Business Center
3300 West Sahara Avenue - Lobby
Las Vegas, NV 89101

Office of the Labor Commissioner Website
www.labor.nv.gov

Legislative Building, State of Nevada
401 South Carson Street - 1st Floor
Carson City, NV 89701

Nevada Legislature Website
www.leg.state.nv.us/App/Notice/A/

Nevada Building
One State of Nevada Way - Lobby
Las Vegas, NV 89119

Nevada Public Notice Website
<https://notice.nv.gov/>

Nevada State Library
100 North Stewart Street - Lobby
Carson City, NV 89701