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TELEWORK GUIDE

Nevada labor laws do not prevent employers from encouraging employees to work from home or to reach an agreement with their employees to work from home. These types of work arrangements have become necessary due to the COVID-19 Public Health Emergency. However, it is important to recognize that Nevada Labor Laws still apply.

Employees **may not** be classified as Independent Contractors merely because they are performing work at a different location other than their regular place of work, or from their home.

For information regarding determining Independent Contractor status please refer to Nevada Revised Statutes (NRS) section 608.0155 and Nevada Administrative Code (NAC) section 608.155(4). Pursuant to NRS section 608.400, willful misclassification may result in a fine of \$5,000.00 for each employee who is misclassified.

- Employees must be paid for each hour worked. (NRS section 608.016) Employers may not elect to have employees work without pay and claim the work was performed on a voluntary basis.
- Employees must be paid for Overtime Hours worked unless there is a specific exemption that applies. (NRS section 608.018)
- Employers must maintain Daily Time Records reflecting how many hours each employee worked. (NRS section 608.115) There are **no** special provisions that provide an exemption to this requirement and it applies to all employees regardless of the pay structure.
- Employees should maintain a Telework Log documenting the hours worked during the Workweek.
- Employees must be permitted to take a 10-minute Paid Rest Period for every 4-hours of work or fraction thereof and a 30-minute unpaid Meal Period for every continuous 8-hours of work. (NRS section 608.019)
- Employers may not reduce the Rate of Pay unless the employee has been provided with a written 7-day notice prior to the new rate taking effect. (NRS 608.100)
- Employees may not be paid less than the applicable Minimum Wage unless there is a specific exemption that applies. (NRS section 608.250 & NAC section 608.100)
- Employers must establish and maintain a Regular Pay Day. (NRS section 608.080)
- Employees must be paid at least Semi-Monthly. (NRS section 608.070) However, the employer may choose to pay wages more frequently.