



**NEVADA SUPPLEMENT  
2023**

**ComplianceHR**

**Note:** This Employee Handbook is not intended to apply to any particular employer or to provide legal advice or opinion. Such advice may only be given when related to specific handbooks and specific fact situations. In no circumstances should any employee handbook be adopted and issued to employees before the final draft has been approved by experienced labor counsel. These employee handbook templates generally include policies prompted by federal and state laws in the employee policy context, as well as leave of absence and scheduling policies intended to comply with local laws in major municipalities (i.e., those with 100,000 residents or more). The handbook templates do not include the following: social media policies; drug-testing policies; policies related to municipal laws other than those specified above; or policies specific to government contractors or certain industries. Generally, the templates do not address industry-specific requirements, except where indicated.

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## TABLE OF CONTENTS

GENERAL INFORMATION .....	1
About This Nevada Supplement .....	1
COMMITMENT TO DIVERSITY .....	1
Equal Employment Opportunity .....	1
Pregnancy Accommodation.....	2
GENERAL EMPLOYMENT PRACTICES.....	2
Access to Personnel Files .....	2
Discussion of Wages .....	3
PAY PRACTICES.....	3
Meal and Rest Breaks .....	3
Overtime .....	4
Lactation Accommodation .....	5
TIME OFF AND LEAVES OF ABSENCE .....	5
Paid Leave .....	5
Sick Leave to Care for Immediate Family Members .....	7
COVID-19 Vaccination Leave.....	7
School-Related Activities Leave .....	8
School Conferences or Emergencies Leave .....	9
Jury and Witness Duty Leave .....	9
Court Attendance Leave .....	10
Time Off to Vote .....	10
Military Leave .....	11
Legislative Leave.....	11

Volunteer Search and Rescue, Sherriff's Department Reserves and Civil Air Patrol Leave .....	11
Volunteer Emergency Responder Leave .....	12
Domestic Violence Victim Leave and Reasonable Accommodations .....	12
SAFETY AND SECURITY .....	13
Smoke-Free Workplace .....	13
Cell Phone Use / Texting While Driving .....	13

# GENERAL INFORMATION

## About This Nevada Supplement

**Dahl Consulting (“The Company”)** is committed to workplace policies and practices that comply with federal, state and local laws. For this reason, Nevada employees will receive the Company’s national handbook (“National Handbook”) and the Nevada Supplement to the National Handbook (“Nevada Supplement”) (together, the “Employee Handbook”).

The Nevada Supplement applies only to Nevada employees. It is intended as a resource containing specific provisions derived under Nevada law that apply to the employee’s employment. It should be read together with the National Handbook and, to the extent that the policies in the Nevada Supplement are different from, or more generous than those in the National Handbook, the policies in the Nevada Supplement will apply.

The Nevada Supplement is not intended to create a contract of continued employment or alter the at-will employment relationship. **Only the President/Owner of the Company or his or her authorized representative has the authority to enter into an agreement that alters the at-will employment relationship and any such agreement must be in writing signed by the President/Owner of the Company or his or her authorized representative.**

If employees have any questions about these policies, they should contact their DAHL representative.

## COMMITMENT TO DIVERSITY

### Equal Employment Opportunity

As set forth in the National Handbook, the Company is committed to equal employment opportunity and to compliance with federal antidiscrimination laws. We also comply with Nevada law, which prohibits discrimination and harassment against any employees or applicants for employment based on age (40 and over), disability (including HIV/AIDS and including the use of an aid, appliance or service animal), race (including traits associated with race such as hair texture and protective hairstyles), color, religion, sex, national origin, pregnancy (including childbirth and related medical conditions), sexual orientation, gender identity or expression, lawful use of a product during nonworking hours that does not adversely affect job performance or employee safety, genetic information and National Guard membership. The Company will not tolerate discrimination or harassment based upon these characteristics or any other characteristic protected by applicable federal, state or local law. The Company also complies with the Nevada law that restricts the circumstances under which employers can request or consider a consumer credit report or other credit information when evaluating a prospective or current employee.

## **Pregnancy Accommodation**

Employees and applicants with needs related to pregnancy, childbirth or related conditions (including lactation), may request a reasonable accommodation to enable them to perform their job. The Company will provide a reasonable accommodation for needs related to pregnancy, childbirth or a related medical condition so long as the requested accommodation does not impose an undue hardship on the Company's business operations.

A reasonable accommodation may include, but is not limited to, the following: modified equipment; different seating; revised break schedules, including changes to the frequency or duration of breaks; space in an area other than a bathroom that can be used for expressing breast milk; assistance with manual labor that is incidental to the primary work duties of the employee; light duty assignments; temporary transfer to less strenuous or hazardous work; a restructured position or modified work schedule.

The Company may require that employees provide an explanatory statement from their physician regarding the specific accommodation recommended by the physician.

The Company will not deny employment opportunities or take adverse employment action against otherwise qualified applicants or employees who request or use such reasonable accommodations.

Employees who have questions about this policy or who wish to request leave or other reasonable accommodation under this policy should contact their DAHL representative. When an employee makes a request for a reasonable accommodation, the Company and employee will engage in a timely, good faith and interactive process to determine an effective, reasonable accommodation.

## **GENERAL EMPLOYMENT PRACTICES**

### **Access to Personnel Files**

Upon request employees will be allowed a reasonable opportunity to inspect their personnel file during regular business hours. Employees should make their request to their DAHL representative. Employees who have been employed by the Company for more than 60 days will also be allowed a reasonable opportunity to inspect their personnel file or provided with a copy of the file within 60 days after leaving the Company.

The Company will, upon request, provide a copy of the personnel file to current or former employees. Employees may be required to pay the actual cost of providing copies.

The following records will not be made available for inspection by employees: confidential reports from previous employers or investigative agencies, other

confidential investigative files concerning the employee or information concerning the investigation, arrest or conviction of the current or former employee for a violation of any law.

Employees who disagree with any of the information contained in their personnel file should notify their DAHL representative, in writing. If the Company agrees with the correction, it will change the information in the employee's file. Employees may also submit a reasonable written explanation of reasonable length in response to any entry in their personnel file, and the Company will maintain this explanation as part of the employee's personnel file.

## **Discussion of Wages**

No employee is prohibited from inquiring about, discussing, or voluntarily disclosing information about his or her own wages or the wages of another employee. The Company will not terminate or otherwise discriminate against employees because they make such inquiries, discussion, or disclosures about their wages or the wages of another employee.

This policy does not apply to any employee who has access to information about the wages of other employees as part of his or her essential job functions and discloses the information to a person who does not have access to that information.

## **PAY PRACTICES**

### **Meal and Rest Breaks**

Employees who work eight continuous hours are permitted at least one 30-minute uninterrupted meal break. During the break, employees will be relieved of all duties. An uninterrupted meal break lasting at least 30 minutes will be unpaid for nonexempt employees.

Employees are also allowed one 10-minute paid rest break for each four hours (or major fraction of four hours) worked. When determining how many hours an employee has worked for purposes of providing rest breaks, unpaid meal breaks will not be counted. Rest breaks will be provided in accordance with the following schedule:

<b>Duration of Shift In Hours</b>	<b># of 10 Minute Rest Breaks</b>	<b>Comments</b>
0 to < 3.5	0	Employees who work less than three and a half continuous hours in a workday are not entitled to take a rest break.
3.5 to < 7	1	Employees who work at least three and a half hours but less than seven continuous hours in a workday are allowed one 10-minute rest break.
7.0 to < 11.0	2	Employees who work at least seven but less than 11 continuous hours in a workday are allowed two 10-minute rest breaks.
11.0 to < 15.0	3	Employees who work at least 11 but less than 15 continuous hours in a workday are allowed three 10-minute rest breaks.
15.00 to < 19	4	Employees who work at least fifteen but less than nineteen continuous hours in a workday are allowed four 10-minute rest breaks.

Rest breaks will be provided as close as practical to the middle of each four hour work period.

Employees who are unable to take all of the breaks to which they are entitled in accordance with this policy, or who have been prevented or discouraged from taking a break to which they are entitled under this policy, should immediately notify a DAHL representative.

All nonexempt employees must record their meal breaks.

## **Overtime**

In addition to the overtime premium pay described in the National Handbook, non-exempt employees who earn less than one and one-half times the current Nevada minimum wage will be paid time and one-half of their regular rate of pay for hours worked in excess of eight hours per workday. The workday in Nevada is defined as a period of 24 consecutive hours that begins when the employee begins work. This daily overtime provision does not apply when, by mutual agreement with the Company, the employee works a scheduled 10 hours per day for four calendar days during the workweek.



## **Lactation Accommodation**

The Company will provide reasonable break time to accommodate an employee desiring to express breast milk for the employee's child under one year of age. If possible, nursing mothers should take time to express breast milk during their regular meal and/or rest breaks. If the break time cannot run concurrently with meal and/or rest breaks already provided to the employee, the break time will be unpaid, unless otherwise required by law. When additional breaks are required, employees should work with their supervisor regarding scheduling.

The Company will provide employees with the use of a place, other than a bathroom, that is reasonably free from dirt or pollution, protected from the view of others and free from intrusion by others for the employee to express breast milk. Employees should discuss with their DAHL representative the location to express their breast milk and to make any other arrangements under this policy.

If the Company determines that providing a reasonable break time or a private space to express breast milk will cause an undue hardship to the Company, it will meet with the employee to agree upon a reasonable alternative. If the Company and the employee are unable to reach an agreement, the Company will select a reasonable alternative for the employee.

The Company reserves the right not to provide the accommodations described in this policy, if to do so would impose an undue hardship on company operations.

The Company strictly prohibits retaliation against employees for taking break time or using the location provided to express breast milk, or for taking any action in an attempt to require the Company to comply with this policy.

## **TIME OFF AND LEAVES OF ABSENCE**

### **Paid Leave**

The Company provides paid leave to eligible employees in compliance with the requirements of the Nevada Paid Leave Law (NPLL).

### **Eligibility**

All full-time and part-time employees who work in Nevada are eligible to accrue paid leave. The following employees are not eligible for paid leave under this policy:

- Temporary employees who work less than 90 days on an occasional or temporary basis (whether paid by the Company or a temporary employment agency, training school or training center);
- Seasonal employees who typically work less than 90 days and/or who are hired for a specific season;

- On-call employees who are called out to work on an hourly or daily basis based upon Company need; or
- Per-Diem employees.

### **Annual Accrual of Paid Leave**

Eligible employees begin to accrue paid leave on January 1, 2020, or upon their first day of employment, whichever is later. Eligible employees accrue paid leave at the rate of .01923 hours of paid leave for each hour worked.

Eligible employees may begin using accrued paid leave on the 90<sup>th</sup> calendar day of their employment with the Company. An employee's *use* of paid leave is limited to 40 hours per anniversary year thereafter. Paid Leave can be used in increments of one hour.

Paid leave can be used for *any reason*, including, but not limited to the following:

- Treatment of a mental or physical illness, injury or health condition;
- Receiving a medical diagnosis or medical care;
- Receiving or participating in preventative care;
- Participating in caregiving; or
- Addressing other personal needs related to the health of the employee.

Employees will not be required to find a replacement as a condition of using accrued paid leave.

### **Requesting Paid Leave/Documentation**

Employees must provide notice of the need to use paid leave as soon as practicable, but need not identify the reason for leave use. To provide notice of the need to use paid leave, employees should contact their DAHL representative by email and specify that they are using paid leave.

### **Rate of Pay**

Leave is paid based on the rate of pay the employee is paid at the time when leave is taken.

### **Leave Carryover**

Accrued, unused paid leave may be carried over from year to year, up to a maximum carryover amount of 40 hours per anniversary year. At the end of the anniversary year, any unused paid leave above the maximum accrual amount will be forfeited.

The Company does not offer pay in lieu of actual paid leave.

## **Effect on Other Rights and Policies**

The Company may provide other forms of leave for employees. In certain situations, leave under this policy may run at the same time as leave available under another federal or state law, provided eligibility requirements for that law are met. The Company is committed to complying with all applicable laws. Employees should contact their DAHL representative for information about other federal or state leave rights.

## **Separation from Employment**

Compensation for accrued and unused paid leave is not provided upon separation from employment for any reason. If an employee is rehired within 90 days after separation and separation was not due to the employee voluntarily leaving employment, any previously unused paid leave hours will be reinstated.

## **Retaliation**

The Company will not retaliate or tolerate retaliation against any employee because the employee uses paid leave in accordance with this policy.

## **Sick Leave to Care for Immediate Family Members**

Employees may use paid or unpaid sick leave provided by the Company to assist an immediate family member who has an illness, injury, medical appointment or other authorized medical need, to the same extent and on the same terms that the employee is able to use sick leave for the employee's own illness or injury. For purposes of this policy, an "immediate family member" includes the employee's child, foster child, spouse, domestic partner, sibling, parent, parent-in-law, grandchild, grandparent or stepparent, or a person for whom the employee is a legal guardian.

The Company may, at its sole discretion, limit the amount of sick leave available to care for an immediate family member to the amount of sick leave an employee would accrue in six months.

This policy does not extend the amount of leave to which an employee may be entitled under the federal Family and Medical Leave Act.

The Company will not discriminate or retaliate against employees for requesting or using sick leave in accordance with this policy or for attempting to exercise or prosecute a violation of their rights under the law. Employees with questions or concerns regarding this policy or who would like to request time off under this policy should contact their DAHL representative.

## **COVID-19 Vaccination Leave**

The Company provides paid leave for the purpose of receiving the vaccination for COVID-19.

If the vaccination requires only one dose, the employee will be allowed up to two consecutive hours of paid leave to receive it. If the vaccination requires two separate doses that are administered on two separate occasions, the employee will be allowed up to two hours of paid leave per dose, for a total of four hours of paid leave. Paid vaccination leave is not considered time worked for the purpose of calculating overtime for the week in which the leave was taken.

Paid vaccination leave is separate from and in addition to paid leave provided in accordance with the Nevada Paid Leave Law (Nev. Rev. Stat. § 608.0197).

In order to request paid vaccination leave, email the DAHL representative and note the dates of each scheduled appointment. Employees may be requested to provide proof, in the form of a COVID-19 vaccination card completed by a health care provider, to support the amount of time needed for each injection after a COVID-19 vaccine injection has been provided. A copy of the completed COVID-19 vaccination card should be promptly provided to Human Resources to confirm applicability of paid vaccination time off for each injection. If an employee's COVID-19 vaccination card contains additional medical documentation unrelated to a confirmation that the employee has received a COVID-19 vaccine, that information should be redacted by an employee prior to submission.

Employees should provide at least 12 hours of advance notice of the need for paid vaccination leave. Employees using paid vaccination leave will not be required to find a replacement to cover the periods of time in which they are absent from work.

Paid vaccination leave will be available to Nevada employees until December 31, 2023. Under no circumstances will compensation be provided for unused paid vaccination leave upon termination of employment or for paid vaccination leave that is not used by December 31, 2023.

Employees who have questions about this policy should contact their DAHL representative.

The Company will not discriminate or retaliate against an employee because they request or use paid vaccination leave in accordance with this policy.

## **School-Related Activities Leave**

The Company will grant up to four hours of time off during any school year to employees who are the parent, guardian or custodian of a child enrolled in public school to:

Attend parent-teacher conferences;

Attend school-related activities during regular school hours

Volunteer or otherwise be involved at the school in which the employee's child is enrolled during regular school hours; and

Attend school-sponsored events.

Leave must be taken in increments of at least one hour.

Employees wishing to take time off under this policy must submit a written request for leave to their DAHL representative at least five school days before the requested leave. The leave will be at a time mutually agreed upon by the employee and the Company.

The Company may require employees to provide documentation verifying that, during the time of leave, the employee attended an eligible school-related activity.

Time off under this policy will be without pay, except that exempt employees may receive pay for partial day absences, as required by applicable law.

### **School Conferences or Emergencies Leave**

The Company will allow employees who are parents (including legal guardians or custodians) time off from work in order to:

Appear at a conference requested by their child's school administrator; or

Respond to notice from their child's school of an emergency involving their child.

Employees should notify their DAHL representative as soon as possible that they will require time off for a school conference or emergency. Time off under this policy will be unpaid, except that exempt employees may receive pay for partial day absences, as required by applicable law.

### **Jury and Witness Duty Leave**

The Company encourages all employees to fulfill their civic responsibilities and to respond to summonses or subpoenas for jury service or to appear as a witness in a judicial or administrative proceeding, attend court for prospective jury service, serve as a juror, or appear as a witness or potential witness in a judicial or administrative proceeding. Under no circumstances will employees be terminated, threatened, coerced or penalized because they request or take leave in accordance with this policy.

Employees must provide their supervisor with notice of any jury summons or subpoena at least three days before their appearance is required.

Verification of having served as a juror or witness may be required.

Employees who are summoned to appear for jury duty will not be required to work within the eight hours prior to the time jury duty is scheduled to begin. On any day in which the employee's jury service lasts four or more hours, including time traveling to

and from court, employees will not be required to work between 5:00 p.m. on that day and 3:00 a.m. the following day.

Time spent engaged in attending court for prospective jury service, serving as a juror or appearing as a witness or potential witness in a judicial or administrative proceeding is not compensable except that exempt employees will not incur any reduction in pay for a partial week's absence due to jury or witness duty. Employees will not be asked or required to use sick leave or vacation time for jury duty.

## **Court Attendance Leave**

The Company will allow employees who are the parent, guardian or custodian of a child to miss work in order to appear at the child's juvenile proceeding.

Employees seeking leave under this policy must notify their DAHL representative in advance of the appearance. For detention hearings, employees must provide verbal notice in advance of the hearing, as well as a certificate of attendance immediately upon return to employment. For subsequent hearings, employees must provide a copy of the written notice of the hearing before the date of the requested leave.

Time off under this policy will be without pay except that exempt employees may receive pay, as required by applicable law.

The Company will not terminate or threaten to terminate employees because they request or take time off in accordance with this policy.

## **Time Off to Vote**

The Company encourages all employees to fulfill their civic responsibilities and to vote in public elections. Most employees' schedules provide sufficient time to vote either before or after working hours.

Employees who are registered voters and do not have sufficient time before or after work to vote will be allowed sufficient time off, without loss of pay, to vote. For purposes of this policy, sufficient time outside of working hours to vote means:

One hour for employees whose polling place is two miles or less from the workplace;

Two hours for employees whose polling place is more than two, but not more than ten, miles from the workplace; or

Three hours for employees whose polling place is more than ten miles from the workplace.

Employees must provide notice of the need for time off to vote prior to Election Day. The Company may specify the particular time during which employees may be absent to vote.

The Company will not make deductions from employees' salary or wages or otherwise penalize employees for taking leave in accordance with this policy.

Proof of having voted may be required.

## **Military Leave**

In addition to the military leave rights set forth in the National Handbook, Nevada employees who are members of the Nevada National Guard or the National Guard of any other state may take unpaid military leave to participate in active duty or field training or is called to active National Guard duty. The Company will not terminate employees for participating in such activities.

Employees should submit a written request for leave and documentation verifying eligibility for leave to the Company as soon as they become aware of the need for leave under this policy.

## **Legislative Leave**

Employees who serve in the Nevada State Legislature may take time off from work to attend sessions and committee meetings during the legislative interim.

Time off under this policy will be unpaid, except that exempt employees will be paid when required by applicable law.

## **Volunteer Search and Rescue, Sherriff's Department Reserves and Civil Air Patrol Leave**

Employees who are search-and-rescue volunteers, reserve members in a sheriff's department or members of a Civil Air Patrol unit may be allowed time off for reasons relating to their service in one of these units.

Employees and applicants who are members or become members of one of these units must immediately notify their DAHL representative and must provide notice of any change in their status as a volunteer.

The Company reserves the right to not allow an employee to participate in search and rescue activities during normal working hours and will notify the employee of this decision as soon as practicable after the employee's disclosure of membership in a volunteer search and rescue.

Time off under this policy will be without pay, except that exempt employees may receive pay, as required by applicable law.

## **Volunteer Emergency Responder Leave**

Employees will be allowed time off from work when needed to serve as volunteer firefighters or volunteer ambulance drivers or attendants. For purposes of this policy a volunteer ambulance driver or attendant is one who provides those services on an ambulance owned or operated by a nonprofit organization that provides volunteer ambulance service in Nevada or a political subdivision of the state. Employees will not be terminated for requesting or taking time off in accordance with this policy.

Employees and applicants for employment who are or who become volunteer firefighters or ambulance drivers or attendants must immediately notify their DAHL representative of their status and must provide notice of any change in their status as a volunteer.

Time off under this policy will be without pay, except that exempt employees will be paid when required by applicable law.

## **Domestic Violence Victim Leave and Reasonable Accommodations**

Employees who are victims of domestic violence, or employees whose family or household members have been a victim of domestic violence, may take up to 160 hours of unpaid leave within 12 months immediately following the date on which the domestic violence occurred. Only employees employed with the Company for at least 90 days are eligible for this leave.

Employees may use leave available under this policy as follows:

- For the diagnosis, care or treatment of a health condition related to an act of domestic violence against the employee or the employee's family or household member;
- To obtain counseling or assistance related to an act of domestic violence against the employee or the employee's family or household member;
- To participate in any court proceedings related to an act of domestic violence against the employee or the employee's family or household member; or
- To establish a safety plan, including any action to increase the safety of the employee or the employee's family or household member.

Employees may use leave under this policy consecutively or on an intermittent basis. If the reason for using leave is also a qualifying reason under the federal Family and Medical Leave Act (FMLA) and the employee is in fact eligible for FMLA leave, then the Company will also deduct the leave from the employee's available FMLA leave.

After an employee's initial leave for an occurrence of domestic violence, the employee must provide at least 48 hours' advance notice to the Company of his or her need to use additional hours of leave under this policy. Employees who take leave under this policy are required to provide the Company with documentation that supports the employee's reason for leave, such as a police report, a copy of an application for an



order for protection, an affidavit from a victim's organization or documentation from a physician. The Company will keep such documentation confidential and will be retained consistent with FMLA requirements.

In addition to leave, employees who are victims of domestic violence, or employees whose family or household members have been a victim of domestic violence, may request reasonable accommodations from the Company. Potential accommodations include:

- Transfers or reassignments;
- Modified schedules;
- New work telephone numbers; or
- Any other reasonable accommodations which will not create an undue hardship for the Company and are necessary to ensure the safety of the employee and workplace.

The Company requires documentation to support the employee's request for a reasonable accommodation under this policy.

The Company will not discharge, discipline, discriminate against, deny employment or promotion, or threaten such action against employees who request leave or accommodations under this policy, participates as witnesses or parties in domestic violence court proceedings, or were the victim of domestic violence committed at work.

## **SAFETY AND SECURITY**

### **Smoke-Free Workplace**

The Company prohibits smoking in the workplace, including in company-owned vehicles. Employees wishing to smoke must do so outside company facilities during scheduled work breaks. For purposes of this policy, "smoking" includes the use of electronic smoking devices.

Employees that observe other individuals smoking in the workplace in violation of this policy have a right to object and should report the violation to their DAHL representative. Employees will not be disciplined or retaliated against for reporting smoking that violates Nevada law or this policy.

Employees that violate this policy will be subject to disciplinary action up to and including termination of employment.

### **Cell Phone Use / Texting While Driving**

As is set forth in the National Handbook, the Company prohibits employees from using cellular phones for business reasons while driving or for any reason while driving for

work-related purposes or driving a company-owned vehicle. Employees should also be aware that using a cell phone to engage in voice or nonvoice communications (e.g., texting, e-mailing or instant messaging) without a hands-free device while driving is a violation of Nevada law, in addition to being a violation of company policy. It is also unlawful in Nevada for a driver to operate a vehicle while manually typing or entering text into a handheld wireless communication device or while sending or reading data using a handheld wireless communications device to access or search the Internet.