



Department of Business & Industry
OFFICE OF THE LABOR COMMISSIONER

<http://www.labor.nv.gov>

Senate Bill 232 approved during the 2017 Legislative Session amends Nevada Revised Statutes (NRS) January 1, 2018:

https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB232_EN.pdf

Senate Bill 232 Amendments to NRS 608:

608.000(1) A part of wages or compensation may, if mutually agreed upon by an employee and employer in the contract of employment, consist of lodging. In no case may the value of the lodging be computed at more than five times the statutory minimum hourly wage for each week that lodging is provided to the employee.2. The monetary limitations on the value of lodging specified in subsection 1 do not apply to agricultural employees.

608.018(O) A domestic worker who resides in the household where he or she works if the domestic worker and his or her employer agree in writing to exempt the domestic worker from the requirements of subsections 1 and 2. 4. As used in this section, "domestic worker" has the meaning ascribed to it in section 6 of this act.

608.115(1) A part of wages or compensation may, if mutually agreed upon by an employee and employer in the contract of employment, consist of meals. In no case shall the value of the meals be computed at more than 100 percent of the statutory minimum hourly wage per day. In no case shall the value of the meals consumed by such employee be computed or valued at more than 25 percent of the statutory minimum hourly wage for each breakfast actually consumed, 25 percent of the statutory minimum hourly wage for each lunch actually consumed, and 50 percent of the statutory minimum hourly wage for each dinner actually consumed.

Senate Bill 232 Amendments to NRS 618 adding sections 5 & 6:

Sec. 5. This section and section 6 of this act may be cited as the Domestic Workers' Bill of Rights.

Sec. 6.1. The Legislature hereby declares that a domestic worker must be afforded the following rights and protections:

(a) An employer shall provide to a domestic worker, when the domestic worker begins his or her employment, a written employment agreement outlining the conditions of his or her employment. If the domestic worker is not able to understand the provisions of the written agreement, the employer shall ensure that those provisions are explained to the domestic worker in a language that the domestic worker understands. The employment agreement must include, without limitation:

- (1) The full name and address of the employer;
- (2) The name of the domestic worker and a description of the duties for which he or she is being employed;
- (3) Each place where the domestic worker is required to work;
- (4) The date on which the employment will begin;
- (5) The period of notice required for either party to terminate the employment or, if the employment is for a specified period, the date on which the employment will end;
- (6) The ordinary workdays and hours of work required of the domestic worker, including any breaks;
- (7) The rate of pay, rate and conditions of overtime pay and any other payment or benefits, including, without limitation, health insurance, workers' compensation insurance or paid leave, which the domestic worker is entitled to receive;
- (8) The frequency and method of pay;
- (9) Any deductions to be made from the domestic worker's wages;
- (10) If the domestic worker is to reside in the employer's household, the conditions under which the employer may enter the domestic worker's designated living space; and
- (11) A notice of all applicable state and federal laws pertaining to the employment of domestic workers. A copy of the notice provided in subsection 3 will satisfy the requirement to comply with this subparagraph.

(b) Except as otherwise provided in this section and subject to the provisions of chapter 608 of NRS, a domestic worker must, for all of his or her working time, be paid at least the minimum hourly wage published pursuant to Section 16 of Article 15 of the Nevada Constitution.

(c) Except as otherwise provided in NRS 608.018, a domestic worker who is paid less than one and one-half times the minimum hourly wage must be paid not less than one and one-half times the domestic worker's regular rate of wages for all working time in excess of 8 hours in a workday or 40 hours in a week of work in accordance with the provisions of NRS 608.018.

(d) Except as otherwise provided in NRS 608.0195, if a domestic worker is required to be on duty, he or she must be paid for all working time, including, without limitation, sleeping time and meal breaks.

(e) If a domestic worker is hired to work for 40 hours per week or more, his or her employer must provide a period of rest of at least 24 consecutive hours in each calendar week and at least 48 consecutive hours

during each calendar month. The domestic worker may agree in writing to work on a scheduled day of rest but must be compensated for such time pursuant to this section.

(f) An employer may deduct from the wages of a domestic worker an amount for food and beverages supplied by the employer if the domestic worker freely and voluntarily accepts such food and beverages and provides written consent for such a deduction. An employer must not make a deduction for food and beverages supplied by the employer if a domestic worker cannot easily bring or prepare meals on the premises. Any deduction for food and beverages pursuant to this paragraph must not exceed the limits set forth in NRS 608.155.

(g) An employer may deduct from the wages of a domestic worker an amount for lodging if the domestic worker freely and voluntarily accepts such lodging and provides written consent for such a deduction. An employer may not make a deduction for lodging if the domestic worker is required to reside on the employer's premises as a condition of his or her employment. Any deduction for lodging pursuant to this paragraph must not exceed the limits set forth in section 1 of this act.

(h) If a domestic worker is required to wear a uniform, the employer may not deduct from his or her wages the cost of the uniform or its care.

(i) An employer shall not restrict, interfere with or monitor a domestic worker's private communications or take any of the domestic worker's documents or other personal effects.

(j) A domestic worker may request a written evaluation of his or her work performance from the employer 3 months after his or her employment begins and annually thereafter.

(k) If a domestic worker resides in the employer's household and the employer terminates his or her employment without cause, the employer shall provide written notice and at least 30 days of lodging to the domestic worker, either on-site or in comparable off-site conditions.

(l) An employer shall keep a record of the wages and hours of the domestic worker as required by NRS 608.115

2. The provisions of this section are not intended to prevent an employer from providing greater wages and benefits than those required by this section.

3. The Labor Commissioner shall adopt regulations to carry out the provisions of this section and shall post on his or her Internet website, if any, a multilingual notice of employment rights provided under this section and any applicable state and federal laws pertaining to the employment of domestic workers.

4. As used in this section, unless the context otherwise requires:

(a) "Domestic worker" means a natural person who is paid by an employer to perform work of a domestic nature for the employer's household, including, without limitation, housekeeping, housecleaning, cooking, laundering, nanny services, caretaking of sick, convalescing or elderly persons, gardening or chauffeuring. The term:

(1) Includes a natural person who is employed by a third party service or agency; and

(2) Does not include a natural person who provides services on a casual, irregular or intermittent basis.

(b) "Employer" means a person who employs a domestic worker to work for the employer's household.

(c) "Household" means the premises of an employer's residence and includes any living quarters on the employer's property.

(d) "On duty" means any period during which a domestic worker is working or is required to remain on the employer's property.

(e) "Period of rest" means a period during which the domestic worker has complete freedom from all duties and is free to leave the employer's household or stay within the household solely for personal pursuits.

(f) "Working time" means all compensable time, other than periods of rest, during which a domestic worker is on duty, regardless of whether the domestic worker is actually working.

Sec. 7. This act becomes effective:

1. Upon passage and approval for the purpose of adopting any regulations and performing any preparatory administrative tasks necessary to carry out the provisions of this act; and

2. On January 1, 2018, for all other purposes.

Applicable United States Department of Labor link:

<https://search.usa.gov/search?utf8=%E2%9C%93&affiliate=WHD&query=domestic+service+workers&x=0&y=0>

Copies of this notice may also be obtained from the Office of the Labor Commissioner by going to our website at <http://labor.nv.gov>

