

Employee Leave Laws—Overview

Employers generally have some flexibility when it comes to establishing or negotiating employee leave policies. However, Nevada employers must provide their employees with certain types of paid and unpaid leave required by state law.

Nevada state law includes the following employee leave mandates:

- Paid leave;
- Kin care leave;
- Jury duty leave;
- Voting leave;
- Parental leave for school-related activities; and
- Leave for victims of domestic violence.

Employers should be aware that local governments sometimes enact ordinances that require employers to provide paid or unpaid leave to employees. When an employer is subject to both a local law and a state law regarding employee leave, the employer must generally comply with both. Employers may also be subject to federal leave laws, such as the federal Family and Medical Leave Act (FMLA).

The chart below provides a high-level overview of Nevada employee leave laws at the state level.

Overview of Nevada’s Employee Leave Laws

TYPE OF LEAVE	REQUIREMENTS
Paid Leave	<p>Employers with 50 or more employees in Nevada must provide paid leave to all employees except temporary, seasonal and on-call workers. New employers are exempt for their first two years of operation, as are employers that provide at least 40 hours of paid time off per year under the same conditions as required by the paid leave law.</p> <p>Leave accrues at the rate of 0.01923 hours per hour worked, and may be used for any reason. Employers may cap annual accrued leave at 40 hours. They may also advance a year’s worth of accrued paid leave to an employee before it has accrued. Employees may carry over up to 40 hours of leave from year to year.</p>

	<p>Employees begin accruing leave on their first day of work and must be allowed to begin using leave on their 90th day of work. The employee must notify the employer of the need for leave as soon as practicable, but employers may not require a justification for the leave. Employees are compensated at their regular rate of pay. Employers must display this poster in a conspicuous place in the workplace, and they must keep accrual and use records for one year.</p> <p>In addition, all private employers with 50 or more employees are required to provide paid leave to their employees for vaccination for COVID-19. This leave must be provided in addition to the employer’s other paid leave obligations under the paid leave statute. The law does not apply to employers in their first two years of operation or to employers that provide on-site vaccination clinics employees can use during work hours. For one-dose vaccines, employees must be allowed two consecutive hours of paid leave. For two separate doses that are administered on two separate occasions, the employee may take two consecutive hours of paid leave per absence, for a total of four hours of paid leave. Employee notice and employer posting and recordkeeping requirements apply.</p>
<p>Kin Care Leave</p>	<p>Nevada private employers that provide sick leave must allow employees to take the leave for an immediate family member’s illness, injury, medical appointment or other authorized medical need.</p> <p>Employers may limit this “kin care leave” to the amount of leave the employee accrues over six months. Notice requirements apply, and violators may be fined up to \$5,000 per violation.</p>
<p>Jury Duty Leave</p>	<p>An employer may not terminate or threaten to terminate an employee for serving as a juror or prospective juror, nor can an employee be required to use sick or vacation time for jury duty. An employer may not require an employee to work within the eight hours before the employee is to appear for jury duty. Additionally, an employee who served for four or more hours in a day (including travel time) cannot be required to work between 5 p.m. that day and 3 a.m. the following day.</p> <p>An employee must provide his or her employer with notice of the jury summons at least three days before the employee is to appear.</p>
<p>Voting Leave</p>	<p>An employer must grant an employee sufficient time away from work in order to vote. “Sufficient time” is based on the distance from the worksite to the polling location, not exceeding three</p>

	<p>hours. An employee must request leave to vote before the day of the election. Employers may designate the hours the employee may take leave to vote. Voting leave must be paid.</p>
<p>Parental Leave for School-Related Activities</p>	<p>Employers with 50 or more employees must grant employees with children up to four hours of unpaid leave per school year to attend parent-teacher conferences, school activities or school-sponsored events, or to volunteer or be involved at the school during school hours. Leave must be taken in at least one-hour increments at a time agreed to by the employer and employee. Notice and documentation requirements apply.</p> <p>In addition, an employer may not terminate or threaten to terminate an employee who is a parent, guardian or custodian of a child for taking leave to attend a conference at the request of a school administrator, or because the employee was notified by the school during the workday of an emergency regarding the child.</p>
<p>Leave for Victims of Domestic Violence</p>	<p>Employers must allow eligible employees (those employed with the employer for at least 90 days) to take up to 160 hours of domestic violence leave. Effective Jan. 1, 2024, the same leave provisions apply to victims of sexual assault and their family members.</p> <p>Eligible employees must be provided leave for the following circumstances:</p> <ul style="list-style-type: none"> • For the diagnosis, care or treatment of a health condition related to 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; • To participate in any court proceedings; or • To establish a safety plan, including (without limitation) any action to increase the safety of the employee or the employee’s family or household member from a future act of domestic violence. <p>“Family or household member” is defined as a spouse, domestic partner, minor child or parent or other adult person related within the first degree of consanguinity or affinity to the employee, or other adult person actually residing with the employee at the time of the domestic violence.</p> <p>Leave may be taken consecutively or intermittently. It may be paid or unpaid. Leave for domestic violence must run concurrently with leave under the federal FMLA, when</p>

	<p>applicable. An employee is only eligible for up to 160 hours of leave within the 12-month period immediately following the date an act of domestic violence occurred.</p> <p>After taking any hours of leave due to the occurrence of domestic violence, an employee must provide 48 hours' advance notice to his or her employer of the need to use additional hours of leave.</p> <p>An employer may require documentation to support the need for leave such as police reports, a copy of an application for an order of protection, an affidavit from an organization that provides services to victims of domestic violence or documentation from a physician. Any documentation must be kept confidential. Employee protections and employer notice requirements apply.</p> <p>In addition, absent undue hardship, employers must provide employees affected by domestic violence with reasonable accommodations. Possible reasonable accommodations may include a transfer or reassignment, modified work schedule, a new telephone number for work or any other reasonable accommodation deemed necessary to ensure the safety of the employee, the workplace, the employer or other employees.</p>
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More Information

Contact Heffernan Insurance Brokers for more information on employee leave laws in Nevada.