



Labor and Employment Law Seminar

**2026
LAS VEGAS**

WAGE, LABOR, AND WORKFORCE OPERATIONS: Nevada Payroll Mistakes That Hide in Plain Sight

PRACTICAL STEPS TO CATCH THEM BEFORE THEY SPREAD



Presented by

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**WAGE, LABOR, AND WORKFORCE
OPERATIONS:
Nevada Payroll Mistakes
That Hide in Plain Sight**

NOW LET'S LOOK AT YOUR PAYROLL.

The mistakes ahead are hiding in
ordinary payroll settings.

THE MANAGER FIXED MY TIMECARD.



CHANGED PUNCHES

Original clock-out: 5:00 PM
Manager changed it to: 4:30 PM

30 MINUTES REMOVED



SHIFTED HOURS

Hours moved between workdays.

Mon 9 hrs



Tue 7 hrs

OVERTIME MAY BE MISSED



REPEATED EDITS

One manager routinely adjusts
timecards across an entire
department.

**ONE PRACTICE. MULTIPLE
EMPLOYEES.**

**THE PROBLEM ISN'T THE EDIT. IT'S WHETHER THE RECORD
REFLECTS THE WORK.**

YOU CAN DISCIPLINE FOR UNAUTHORIZED OVERTIME. YOU STILL HAVE TO PAY FOR IT.

An employee works until 5:00 p.m. The manager changes the timecard.

ACTUAL CLOCK - OUT

5:00 PM

MANAGER'S EDIT

4:30 PM

30 MINUTES OF WORK REMOVED

You can enforce your overtime policy. You cannot erase time actually worked.

Not All Timecard Edits Are Created Equal.



Defensible correction

Original punch: 5:00 PM

Corrected punch: 4:30 PM

Reason: Employee confirms incorrect original punch.

Audit trail: Correction documented.



Suspicious edit

Original punch: 5:00 PM

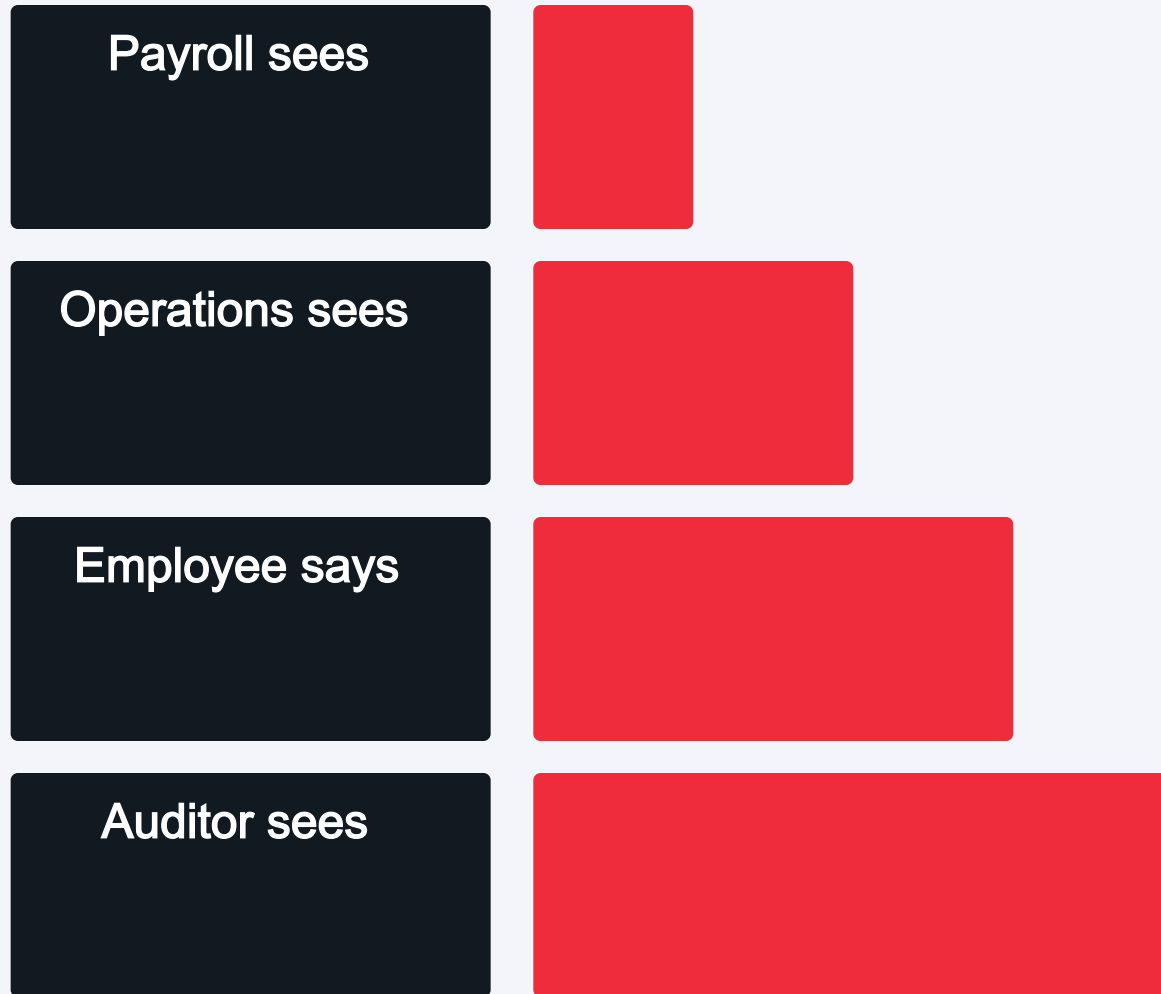
Corrected punch: 4:30 PM

Reason: None recorded.

Audit trail: Same manager repeatedly reduces hours.

The problem isn't necessarily the edit. It's whether you can explain it.

The Most Dangerous Button in Payroll: Auto Deduct Lunch



- **Payroll sees:** 30-minute deduction
- **Operations sees:** "Everybody gets lunch."
- **Employee says:** "Except when we're busy."
- **Auditor sees:** the same error on every shift

When the Meal Break Exists Only in Payroll

- A registered nurse on 12-hour shifts has 30 minutes auto-deducted for lunch every shift
- Patients need her mid-meal, so she works through part of the break
- The timeclock still shows a clean 30-minute break, so payroll pays nothing for that time
- Work performed during a meal period is generally compensable time

Time punches: rounding check

PUNCH	RECORDED	ROUNDED TO	LOST
Clock-in	7:53 AM	8:00 AM	-7 min
Clock-out	4:07 PM	4:00 PM	-7 min

Minutes lost per shift: 14

Both punches round against the employee.

"But the Time Clock Does That Automatically."

- Rounding is not automatically a problem. Rounding that nets out evenly over time is generally fine.
- Rounding that always trims paid time, such as starts rounded up and ends rounded down, needs a fix.
- Compare actual punches to paid time by location and period and document the result.

10 MINUTES A SHIFT. 25,000 HOURS A YEAR.

Employees perform five minutes of work before and after each shift without recording the time.

10

Minutes per shift

600

Employees

250

Shifts per year

25,000 HOURS

Of potentially unpaid work each year

Small amounts of off - the - clock work can create significant company - wide exposure.

The Workday Starts Before The Timeclock

7:45 AM: Logging in before an 8:00 shift.

BEFORE OPENING: Counting the cash register.

BEFORE THE SHIFT: Gathering tools or equipment.

AFTER CLOCKING OUT: Finishing closing duties.

AT HOME: Answering work calls or emails.

EVERY SHIFT: "Be ready to work when your shift starts."



IF THEY'RE WORKING, ASK WHETHER THEY'RE ON THE CLOCK.

Nevada's Daily Overtime Trap

\$16/hour employee | Four 9 -hour shifts | 36 hours total

WHAT A WEEKLY -ONLY CHECK SEES



36 HOURS

Total weekly hours

0 OVERTIME HOURS FLAGGED

WHAT NEVADA DAILY OVERTIME MAY REQUIRE

MONDAY: 8 regular + 1 OT

TUESDAY: 8 regular + 1 OT

WEDNESDAY: 8 regular + 1 OT

THURSDAY: 8 regular + 1 OT

4 HOURS OF DAILY OVERTIME

UNDER 40 HOURS DOESN'T ALWAYS MEAN NO OVERTIME.

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36 HOURS WORKED. 4 HOURS OF OVERTIME?

An employee earns \$16/hour and works four 9-hour shifts.

36

HOURS WORKED

4

HOURS OF DAILY OVERTIME

$$36 \text{ hours} \times \$16 = \$576$$

$$4 \text{ overtime hours} \times \$8 \text{ additional premium} = \$32$$

TOTAL GROSS PAY: \$608

In Nevada, overtime can apply even when employees work fewer than 40 hours.

PAYROLL DID THE MATH RIGHT. IT USED THE WRONG RATE.

WHAT PAYROLL PAID

\$30.00/hr

Overtime based on \$20 hourly wage

CORRECT OVERTIME RATE

\$34.50/hr

Overtime rate including \$150 bonus

\$15 SHORTFALL. EVERY PAY PERIOD.

10 overtime hours × \$1.50 additional overtime premium

CAN YOU REALLY TAKE THAT OUT OF THEIR PAYCHECK?

A manager tells payroll to deduct:

\$75

Missing uniform

\$120

Cash shortage

\$200

Damaged equipment

\$150

Overpayment recovery

Just because the employee owes it doesn't mean you can deduct it.

"But They Signed the Handbook."

What employers assume

Employee signed the handbook acknowledgment; therefore every deduction is covered

What to check

- Is the deduction specifically authorized?
- Is the authorization clear about what is deducted and why?
- Does the deduction bring pay below what is required?
- Verify current Nevada requirements

A general acknowledgment is not a blank check.

WE'LL PUT IT ON YOUR NEXT PAYCHECK.

Payroll discovers on Tuesday that an employee was underpaid \$423 on Friday.

What should the employer do?

A

Add it to the next paycheck

B

Blame the payroll vendor

C

Ask if the employee can wait

D

Check the applicable payment deadlines and correct the underpayment

The Correction Isn't Finished Until You Recalculate Everything

**Corrected hours
or pay**

Overtime

Does the added time
push hours into
overtime?

Incentive calculations

Does the bonus change
the overtime rate?

Deductions

Do any deductions
change?

Final wages

Does a final paycheck
need updating?

Fix the check, then re-run the math.

THE EMPLOYEE IS GONE. THE PAYROLL RISK ISN'T.

UNPAID HOURS DON'T DISAPPEAR AT TERMINATION.

OVERTIME STILL HAS TO BE CALCULATED CORRECTLY.

EARNED BONUSES AND COMMISSIONS CAN'T BE IGNORED.

NEVADA HAS STRICT FINAL -PAY DEADLINES.

THE LAST PAYCHECK SHOULD NOT CREATE THE NEXT LAWSUIT.

A MANAGER TITLE DOESN'T MAKE AN EMPLOYEE EXEMPT.

Meet your salaried Assistant Restaurant Manager.

JOB TITLE

Assistant Manager

ACTUAL WORK

**Cooking. Serving.
Running the register.**

Is managing the business actually the employee's primary duty?

A title and salary don't establish an overtime exemption. The actual duties matter.

Your Own Records May Tell a Different Story

Record	What the timecard says	What other records show
Schedule	Timecard: 8:00 to 4:30	Schedule shows a 7:30 start
Login records	Clock-in: 8:00	System login: 7:42
Emails and texts	No work recorded after clock-out	Manager texts at 6:10 PM asking for a closing task
Manager-edit history	Final hours: 8.0	Original punches: 9.2 before edit

If the records disagree, expect hard questions.

YOUR PAYROLL DATA MAY ALREADY TELL THE STORY.

SAME DEDUCTIONS. NO INDIVIDUAL AUTHORIZATION.

ROUNDING THAT ALWAYS FAVORS THE COMPANY.

TIMECARD EDITS THAT ONLY REMOVE HOURS.

BONUSES LEFT OUT OF OVERTIME CALCULATIONS.

DIFFERENT OVERTIME MATH ACROSS LOCATIONS.

FIND THE PATTERN BEFORE SOMEONE ELSE DOES.

WHAT EMPLOYERS SHOULD DO NOW

Five Payroll Reports Every Employer Should Run

1

Timecard edits
by manager and
location

2

Automatic meal
deductions and
exceptions

3

Daily and weekly
overtime
exceptions

4

Bonus and
incentive
treatment in
overtime

5

Payroll
corrections and
final-pay
discrepancies

YOUR 30-DAY PAYROLL RISK REDUCTION PLAN

WEEK 1

AUDIT THE SETTINGS

Review overtime rules, pay rates, deductions, and automatic meal deductions.

WEEK 2

TEST REAL PAYCHECKS

Sample payroll records for overtime, missed punches, and unexplained adjustments.

WEEK 3

CHECK MANAGER PRACTICES

Review time edits, off-the-clock work, and how employees report pay problems.

WEEK 4

FIX AND MONITOR

Correct identified errors, evaluate back pay, and establish exception reports.

Don't wait for a wage claim to discover a payroll problem.

The Five Questions to Ask Your Payroll Team Monday Morning

1

Who can edit time, and is every edit logged?

2

What automatic deductions or rounding are on?

3

How do we catch daily overtime?

4

Which pay codes feed the overtime rate?

5

How do we handle corrections and final pay?

Three Things to Remember

1. A small payroll mistake becomes dangerous when it repeats
2. Your payroll system and electronic records may reveal the pattern
3. The best time to fix it is before a complaint



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Questions?



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Thank you.