



New Nevada Minimum Wage(s) Take Effect July 1, 2010

Insights

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On July 1, 2010, the minimum wages set by the Nevada State Labor Commissioner for Nevada's two-tiered minimum wage system will increase. Currently, the state's minimum wage is either \$6.55 (\$7.25 under federal law) or \$7.55 per hour, depending on whether an employer offers qualified health benefits to its employees.

Starting July 1, 2010, Nevada employers will face a seventy cent (\$0.70) increase in the state minimum wage rates. For those employers offering qualified health benefits to their employees, a \$7.25 per hour minimum wage rate will apply, which brings Nevada's minimum in line with the current federal minimum wage. For employers not offering qualified health benefits, the minimum wage rate of \$8.25 per hour will apply.

Overtime

Under Nevada law, a non-exempt employee who works more than eight hours in a work day must be paid overtime at time and one-half the regular rate **except** in the following situations:

1. Where the employee works four ten-hour days in a workweek by mutual agreement, or
2. Where the employee is paid at a rate not less than one and one-half times the Nevada minimum wage. Note that when making this computation it is only the Nevada minimum wage that is used even though in some situations the federal minimum wage will be different.

When these exceptions apply, the employee must be paid overtime only for working more than 40 hours per week.

Nevada's multiple minimum wages can sometimes cause confusion. For further advice about how this law affects your business, contact any attorney in the Las Vegas office of Fisher Phillips at (702) 252-3131.

Click on the link below for a pdf version of this alert including charts that outline Nevada's new minimum wage and daily overtime requirements.

This Legal Alert is intended to provide an overview of an important new law. It is not intended to be, nor should it be construed as, legal advice for any particular fact situation.

