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STATE OF NEVADA

Department of Business & Industry

Office of the Labor Commissioner

TERRY JOHNSON
Labor Commissioner

MICHAEL TANCHEK, Esq.
Deputy Labor Commissioner



ASSEMBLY GOVERNMENT AFFAIRS

DATE: 2/13/03 ROOM: 3143 EXHIBIT C

SUBMITTED BY: Nancy Haywood

1 of 22

Nevada Labor Commissioner

- Office of the Labor Commissioner
 - Agency Structure
 - Office Locations in Las Vegas & Carson City
 - 20 Full Time Employees
 - Las Vegas = 15
 - Carson City = 5

Nevada Labor Commissioner

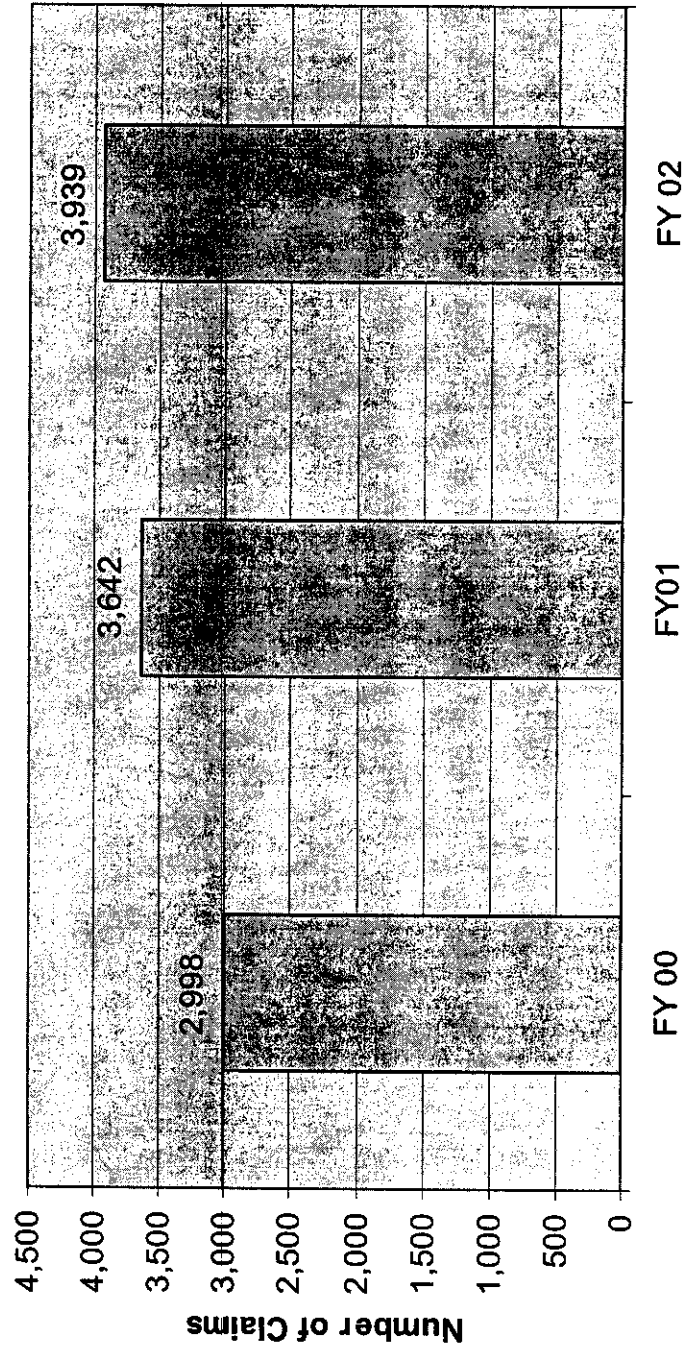
- Wage & Hour Administration (NRS 608)
- Apprenticeship Training (NRS 610)
- Private Employment Agencies (NRS 611)
- Child Labor (NRS 609)
- Unlawful Termination of Nat'l. Guardsmen (NRS 412)
- General/Other Employment Provisions
- Producer-Promoter Registration
- Public Works/Prevailing Wages (NRS 338)

Nevada Labor Commissioner

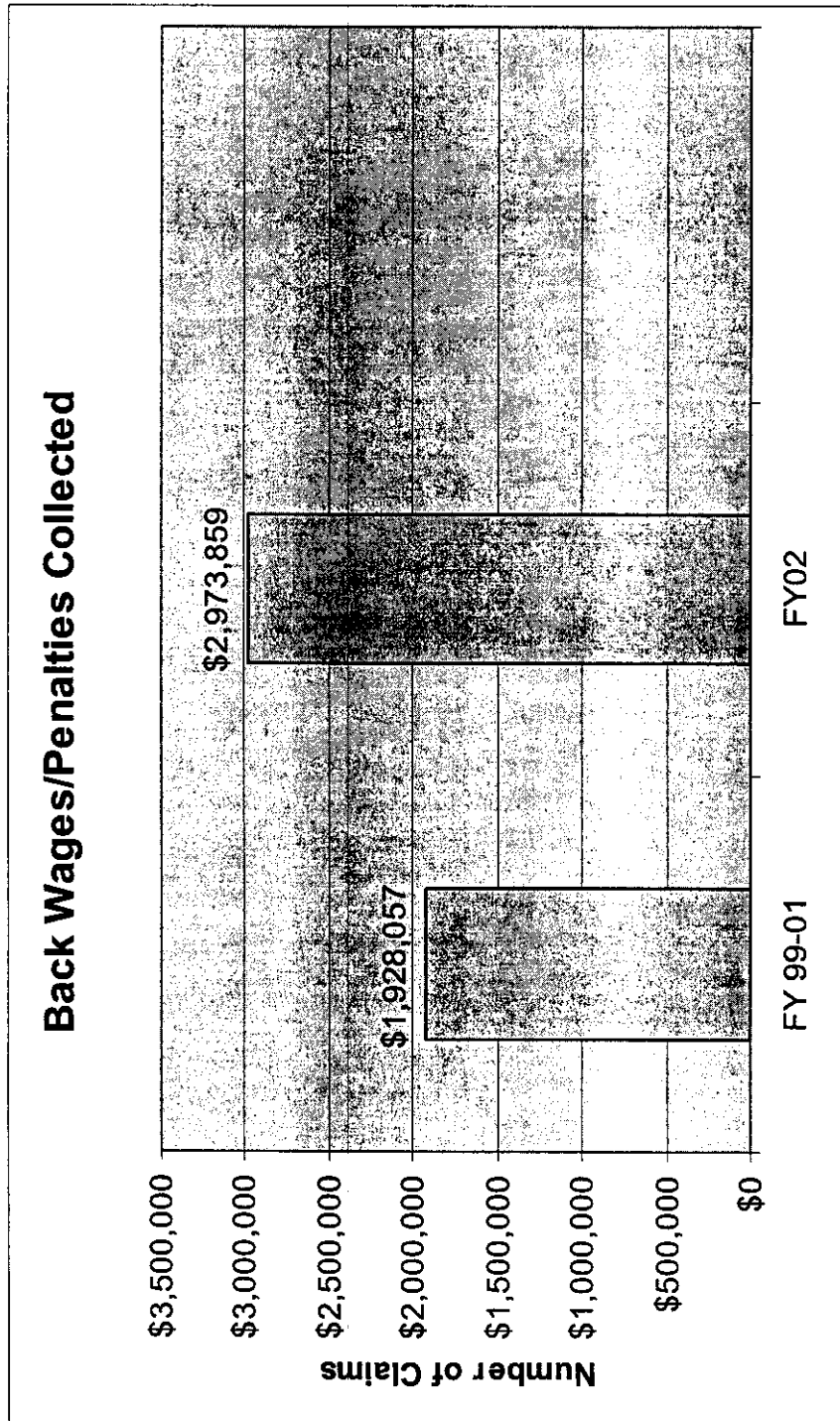
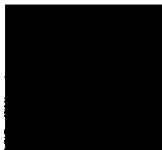
- Wage & Hour Administration
 - Claims for unpaid wages
 - Labor Commissioner may take assignment and prosecute action based on failure of employer to pay employee for all time worked, for unpaid overtime or minimum wages
 - Includes unlawful deductions from employee's wages
 - Includes action for timely payment of quitting or discharged employee.

Nevada Labor Commissioner

Wage Claims Adjudicated



Nevada Labor Commissioner



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Nevada Labor Commissioner

- Wage & Hour Administration (cont'd)
 - Periods for meals/rest
 - Manner of payment
 - Uniforms
 - Tips

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Nevada Labor Commissioner

- Apprenticeship Training
 - Provides on the job and classroom training in various occupations:
 - Currently 82 registered programs statewide
 - 4,673 apprentices currently registered
 - Labor Commissioner serves as director of the seven member State Apprenticeship Council, which is comprised of representatives from employee and employer associations.

Nevada Labor Commissioner

- Private Employee Agencies
 - Annually license and register over 300 employment agencies.
 - Agency investigates complaints against employment agencies.

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Nevada Labor Commissioner

- Child Labor
 - Provides for safeguards for minors under the age of 16 in the workplace.
 - Labor Commissioner statutorily authorized to declare certain types of work dangerous to minors and may preclude their employment therein.

Nevada Labor Commissioner

- Producer-Promoter Registration
 - Includes persons producing/promoting:
 - stage shows
 - concerts
 - trade shows
 - exhibitions
 - conventions
 - sporting events
 - Overall purpose is to ensure payment of salaries to employees.



Nevada Labor Commissioner

- General/Other Employment Provisions
 - Use of Lie Detector Tests
 - Employee Records Requests
 - Unlawful Blacklisting of Employees
 - All other labor laws not otherwise assigned to another officer or agency of this state.

Nevada Labor Commissioner

- Public Works/Prevailing Wages
 - Public Works Projects are taxpayer financed projects for public:
 - buildings, roads/highways, jails/prisons, utilities, water mains, sewers, parks, playgrounds, public convention facilities, and all other publicly owned works and property exceeding \$20,000
 - With limited exceptions, prevailing wages are required to be paid to “workmen” employed on public works projects.

Nevada Labor Commissioner

- Public Works/Prevailing Wages (cont'd)
 - Labor Commissioner annually publishes the Prevailing Wage Rates and corresponding job classifications for use on public works projects.
 - Public bodies who award public works contracts required to include prevailing wage rates in such contracts.
 - Contractors/Subcontractors engaged on public works required to pay their workers the prevailing wage rates as determined by the Labor Commissioner.

Nevada Labor Commissioner

- Public Works/Prevailing Wages (cont'd.)
 - How are those prevailing wage rates established?
 - Labor Commissioner annually sends a survey to contractors for them to report wages paid.
 - Based on survey results, the rate paid the majority of the time is deemed “prevailing.”
 - If no rate paid the majority of the time, the rate paid to at least 40% of the workers deemed “prevailing.”
 - If the results still do not produce a prevailing wage rate, an average of all wages paid is used.

Nevada Labor Commissioner

- How are those prevailing wage rates established? (cont'd.)
 - If the wage deemed prevailing was derived from a collective bargaining agreement (CBA), the Labor Commissioner may consider wage adjustments as set forth in the CBA.
 - If no wage data reported in a given county, the nearest similar wage data is considered.
 - The final wage determinations are published October 1st of each year.
 - Within 30 days thereafter, persons may object to prevailing wage rate determinations.

Nevada Labor Commissioner

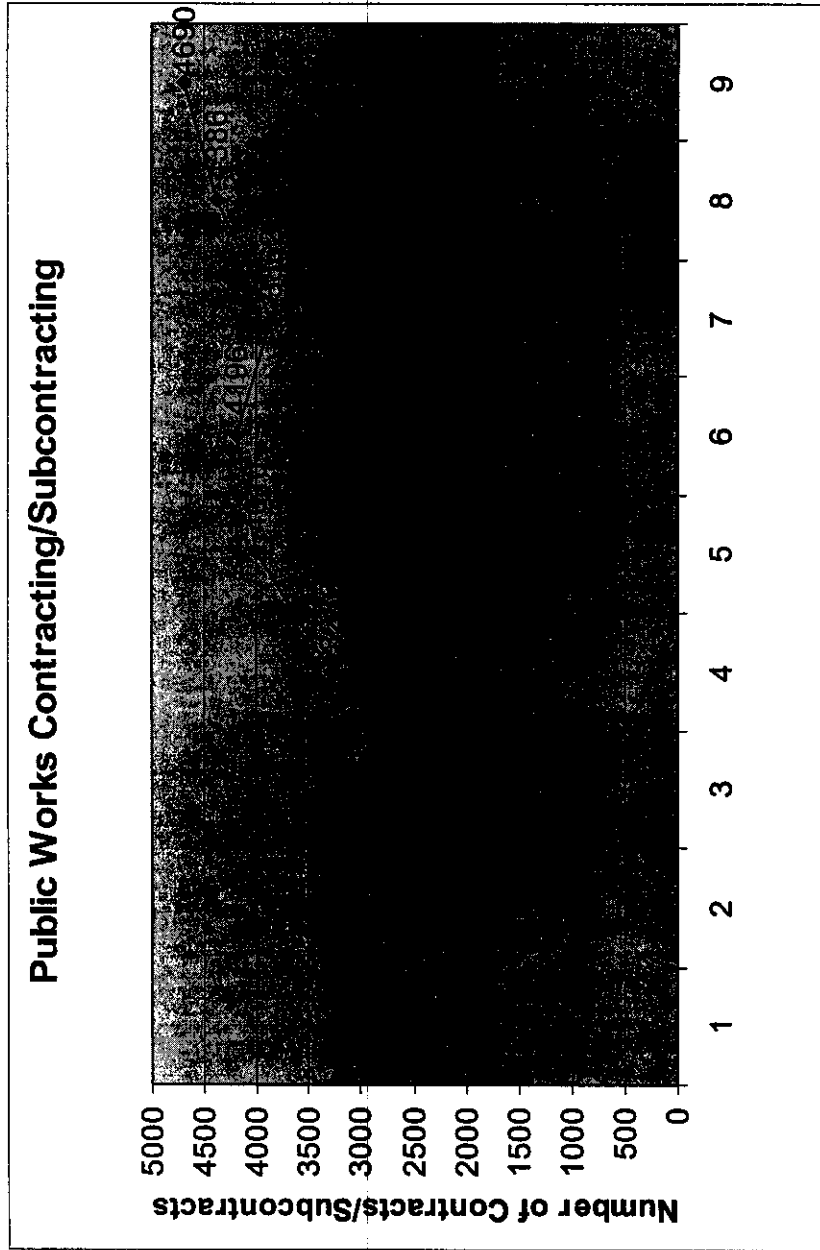
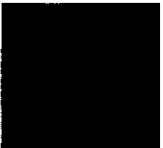
- Public Works/Prevailing Wages
 - Facts about Prevailing Wage Determination Process
 - Surveys are sent to over 13,500 contractors annually.
 - Wage rates published for all 17 counties.
 - There are 1,067 prevailing wage determinations filed annually.
 - While the rates are published on Oct. 1, the process is actually an ongoing, year round process.

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Nevada Labor Commissioner

- Facts about Public Works/Prevailing Wages in Nevada:
 - \$1.2 billion dollars in public works projects were awarded by the State of Nevada and its political subdivisions in FY 02.
 - Nevada ranks highly in the amount of per capita expenditures on public works projects.
 - Public works contracting has steadily increased over the past decade.

Nevada Labor Commissioner



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Nevada Labor Commissioner

- Summary
 - Wage & Hour Administration
 - Apprenticeship Training
 - Private Employment Agencies
 - Child Labor
 - Unlawful Termination of Nat'l. Guardsmen
 - General/Other Employment Provisions
 - Producer-Promoter Registration
 - Public Works/Prevailing Wages
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Nevada Labor Commissioner

- Oversight of \$1 Billion annually in public works spending
- Collected \$3 million in back wages and penalties in FY 02
- As of today, 2 of every 3 employees filing claims for unpaid wages have their claims adjudicated in 60 days or less.

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Office of the Labor Commissioner

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