

ASSEMBLY BILL NO. 193—ASSEMBLYMEN KIRNER, HARDY, HICKEY; PAUL ANDERSON, DUNCAN, ELLISON, FIORE, GRADY, HAMBRICK, HEALEY, HOGAN, LIVERMORE, OSCARSON, SPRINKLE, STEWART, WHEELER AND WOODBURY

MARCH 4, 2013

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing compensation, wages and hours. (BDR 53-1019)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to labor; revising provisions relating to payment for each hour of work by an employee; authorizing an employer to round the time actually worked by an employee; authorizing an employer to disregard certain time recorded by an employee; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law requires an employer to pay an employee for each hour the
- 2 employee works. (NRS 608.016) This bill authorizes an employer to round the time
- 3 actually worked by an employee to the nearest 5 minutes, or the nearest one-tenth
- 4 or one-quarter of an hour. This bill also provides that an employer is not required to
- 5 use a time clock to record the time that an employee works. Finally, this bill
- 6 provides that if an employer uses a time clock to record the time an employee
- 7 works, the employer is not required to pay the employee for time recorded before or
- 8 after the regularly scheduled shift of the employee if the employee is present
- 9 voluntarily and does not engage in any work.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 608.016 is hereby amended to read as follows:

608.016 ~~Am~~

1. Except as otherwise provided in subsections 2 and 3, an employer shall pay to the employee wages for each hour the employee works. An employer shall not require an employee to work without wages during a trial or break-in period.

2. An employer may round the actual time the employee works to the nearest 5 minutes, or the nearest one-tenth or one-quarter of an hour, provided that such rounding will not result, over a period of time, in a failure to compensate the employee properly for all the time the employee has actually worked.

3. An employer is not required to use a time clock to record the time an employee works. If an employer uses a time clock to record the time an employee works, the employer is not required to pay the employee for any time recorded before or after the regularly scheduled shift of the employee, provided that the employee:

(a) Voluntarily comes in before his or her regular starting time or stays after his or her regular stopping time; and

(b) Does not engage in any work during that time.

