



# HR COMPLIANCE CHECKLIST

Use this checklist to ensure your business is compliant with both federal and Nevada-specific HR requirements. This document is intended as a general guide. For legal advice, consult with one our employment law professionals.



# Postings & Notices



## Federal Labor Law Notices

Ensure you have up-to-date federal labor law notices posted in a conspicuous area in your workplace. Common federal notices include: OSHA, FMLA, EEO, etc.



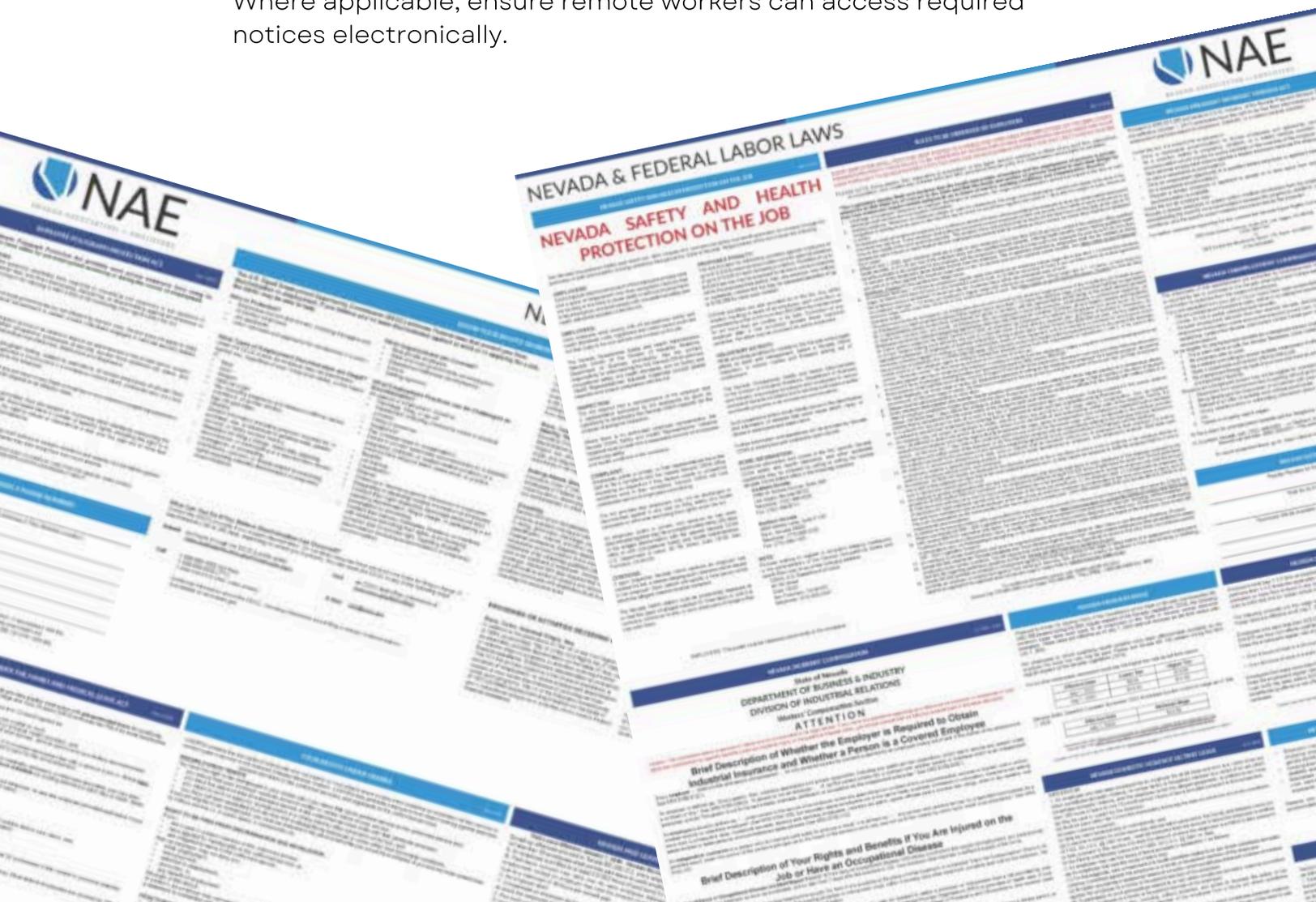
## Nevada Labor Law Notices

Ensure you have up-to-date Nevada labor law notices posted in a conspicuous area in your workplace. Common state notices include: minimum wage, daily overtime, workers compensation, etc.



## Notices for Remote Employees

Where applicable, ensure remote workers can access required notices electronically.



# Recordkeeping



## Employee Records

Employee records must be maintained by the company, including timekeeping and payroll records, policy acknowledgements, disciplinary records, etc.



## Separate Confidential & Medical Records

Certain employee records (i.e. health insurance forms, EEO self-identification forms, FMLA paperwork, etc.) should be kept separate from other employee records.



## Storage

Whether kept in hard copy or electronically, employee records must be kept confidential and stored securely. Form I-9s must be kept separately from all other employee files.



## Retention

Employee records must be maintained consistent with federal and Nevada recordkeeping timelines. Promptly discard records when retention period expires.

# Employee Classification & Pay Practices

## Exempt or Non-Exempt

Ensure employees are correctly classified under federal and Nevada law. To be properly classified as exempt, certain criteria regarding salary and job duties under the FLSA must be met.

## Minimum Wage & Overtime

Ensure that non-exempt employees are paid at least the state minimum wage and overtime is paid appropriately based on rate of pay. **NOTE:** Nevada has both daily overtime and overtime after 40 hours in a workweek.

## Payment for All Hours Worked

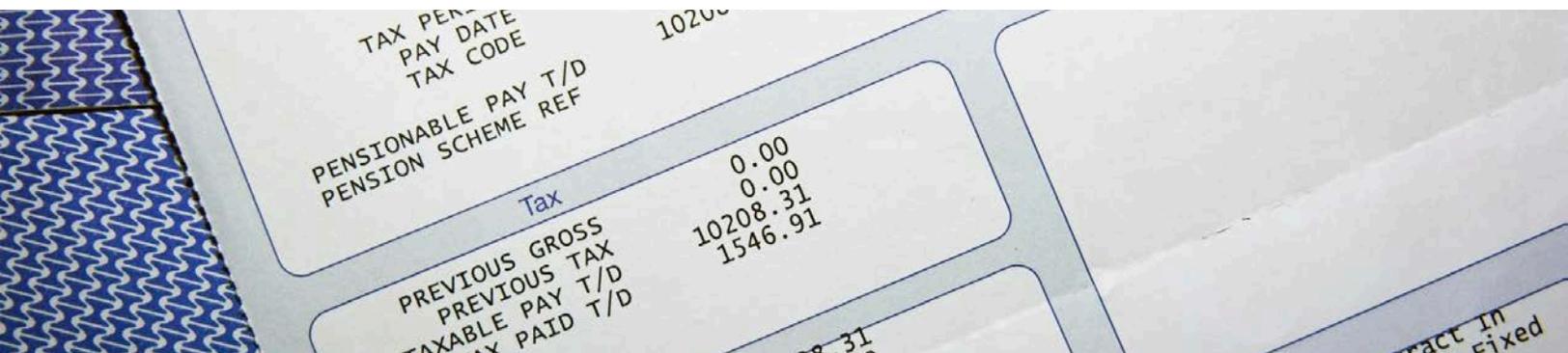
Ensure non-exempt employees are paid for all hours worked, including confirming that timekeeping systems accurately capture all time worked.

## Deductions from Pay

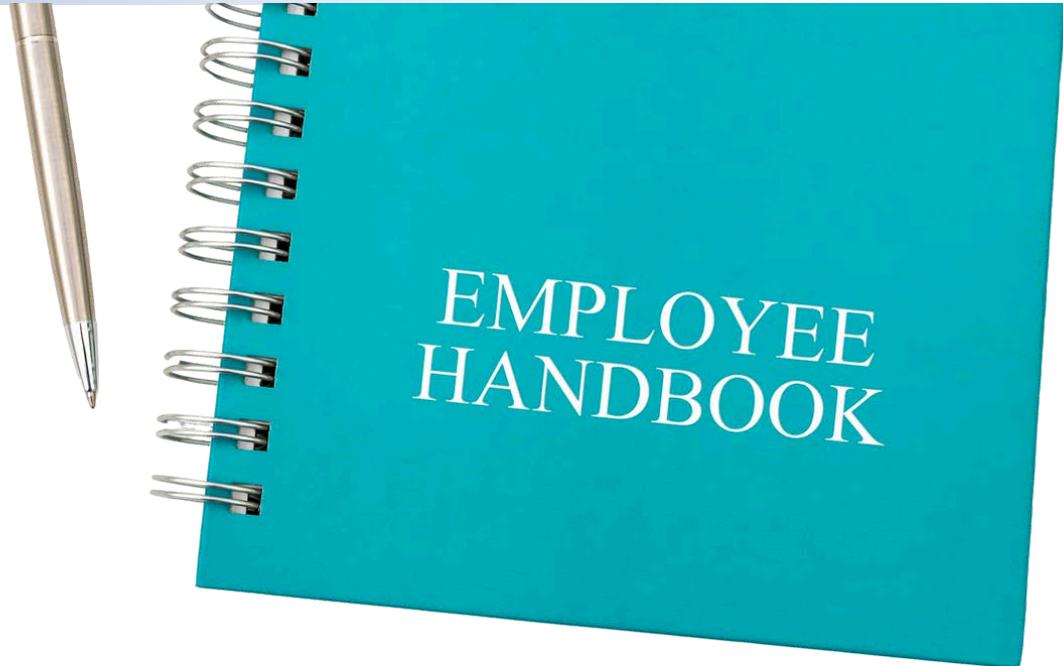
Outside of standard deductions (i.e. taxes, benefits, etc.) employers must have written permission to make deductions from employee pay. Exempt employees cannot have their pay reduced for working less than a full workweek (with some minor exceptions).

## Timely Payment of Wages

Ensure all wages are paid timely and at least semi-monthly. Final wages must be paid consistent with Nevada law. **NOTE:** different timelines exist for terminated employees vs. employees who resign.



# Company Policies & Employee Handbook



## Up-To-Date Employee Handbook

Ensure your employee handbook is current with changes in the law. Employee handbooks should be reviewed annually and updated as appropriate.

## Include Relevant Policies

Company policies should reflect legal obligations and set expectations for employees. Common handbook policies include: anti-discrimination and harassment, at-will employment, drug-free workplace, social media, remote work, and Nevada-specific leave.

## Policy Acknowledgements

Retain handbook and policy acknowledgements from employees indicating that they read, understand, and agree to comply with the policies.

## Consistency in Enforcement

Ensure that policies and established procedures are followed consistently.

# Hiring & Onboarding



## Compliant Job Descriptions

Ensure job descriptions are up-to-date and compliant. Job descriptions should outline the essential functions, key responsibilities and required qualifications.



## Evaluate Candidates Objectively

Ensure your selection and interview process is objective. Consider each candidate's qualifications and experience without regard to prohibited factors, like race, gender, or salary history.



## Background Checks & Drug Test Procedures

If conducting background checks and/or pre-employment drug tests, ensure they are being conducted consistent with federal and Nevada law.



## New Hire Reporting

All employers must report certain information on new hires (and certain rehires) to the Department of Employment, Training & Rehabilitation (DETR).



## W-4, I-9 & New Hire Paperwork

Ensure new hire paperwork is completed timely, including Nevada-specific notices. Remember, Form I-9s must be completed within three days of hire.



## Onboarding & New Hire Orientation

Provide new hires with the employee handbook and policy & procedure manual, if any. Obtain acknowledgments for their personnel file. Ensure new hires receive appropriate training to acclimate them with the company and their new position.



# Training



## Harassment Training

All employees and supervisors should receive harassment prevention training on an annual basis. Training should cover the law and company policies & procedures.



## Supervisor Training

Supervisors and managers should receive training on reasonable suspicion (drug awareness) and performance management.



## Safety Training

All employees should receive some form of safety training. Some employees may need additional safety training based on their job duties (i.e. OSHA 10/OSHA 30, heat illness, etc.).



# Leave & Benefits



## Include State-Required Leaves

Ensure your leave policies cover state-mandated leave requirements (i.e. kin care, PTO (50+ employees), victims of domestic violence, etc.), if applicable.



## Include Federal-Required Leaves

Ensure your leave policies cover federal-mandated leave requirements, like FMLA, if applicable.



## Accurate Leave Tracking

Ensure your system for tracking leaves (PTO, sick leave, vacation, etc.) is accurate, including appropriate accrual and documented usage. Some leaves are required to be shown on paystubs.



## Benefits Compliance

Confirm benefits offered (health, retirement, etc.) meet minimum standards set by ERISA.



## ACA Compliance

If applicable, ensure health benefits meet ACA requirements.



## Retirement Through NEST

If you don't otherwise offer a retirement plan to your employees, ensure you are complying with the Nevada Employee Savings Trust (6+ employees).



## Comply with COBRA

If applicable, ensure employees and/or family members receive notice regarding continuation of healthcare coverage for covered reasons.



# Safety & Workers' Compensation



## Implement a Safety Program

Ensure you have a safety program in place, if applicable. Required for employers with 11+ employees in certain industries.

## Industry-Specific Compliance

Employers in construction, manufacturing, and healthcare must comply with industry-specific safety requirements.

## Maintain OSHA 300 Logs

Consistent with OSHA requirements, maintain your OSHA 300 log, showing workplace injuries and illnesses in the prior year. Post the OSHA 300A from February 1<sup>st</sup> to April 30<sup>th</sup> each year.

## Conduct Safety Audits

On a periodic basis, conduct safety audits to ensure your workplace meets general and industry-specific safety standards, and address any safety issues found promptly.

## Workers' Compensation Coverage

Ensure that you maintain workers' compensation coverage in all places where employees perform work. Ensure the required notice is posted in a conspicuous place and includes relevant insurer and claim information.

As a member of the Nevada Association of Employers (NAE), you have access to exclusive resources that help your organization stay compliant and successful.

- Unlimited access to our **Legal Hotline** for real-time support from employment law professionals.
- Free semi-monthly **harassment prevention webinars** for your employees.
- Discounted rates on **workplace investigations** conducted by experienced legal professionals.
- Access to **member-exclusive** tools, forms, checklists, and policy templates.
- Legislative and regulatory **updates specific to Nevada.**
- Tailored training programs, **supervisor development courses**, and compliance workshops.

Your membership helps ensure you are never alone in managing your workforce. We are your partners in HR and compliance.



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MEMBER RESOURCES

