

January 31, 2018

New Nevada Requirement for Employers of Domestic Workers

As of Jan. 1, 2018, if you employ a nanny, gardener, caretaker, housekeeper or other domestic worker, you are required to have a written agreement with that employee.

Nevada's "Domestic Workers' Bill of Rights" places several requirements and restrictions on anyone who employs a domestic worker. A "domestic worker" is any person who is paid by an employer to perform work of a domestic nature for the employer's household like housekeeping, housecleaning, cooking, laundering, nanny services, caretaking of sick or elderly persons, gardening or chauffeuring.

This new Bill of Rights requires employers to provide a written agreement in English or other language understood by the employee. The agreement must include, in addition to other things, the following terms:

- Rate of pay
- Conditions of overtime
- Description of job duties
- Workdays and hours of work (should include break times)
- Applicable live-in employment conditions

The new law ensures that domestic workers are paid at least the Nevada minimum wage and are paid for all working hours (which could include sleeping and meal times if the domestic worker is required to be on duty during those times). Domestic workers are also entitled to overtime pay for all hours in excess of 40 hours per week. Additionally, employers must give domestic workers at least one day off per week and a minimum of two consecutive days off at least once per month.

If you are an employer who now finds him/herself in a position where you may need to draft a domestic worker employment agreement, feel free to reach out to any of the below Brownstein attorneys or advisors to help you navigate through this new law.

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