

## 2017 Bills Affecting State Employees

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Bill #	Brief Description (Please reference the bill for complete information.)	Effective Date
<b>AB 1</b>	<b>Payment of Undergraduate Fees</b> - Existing law requires the Board of Regents of the University of Nevada, to the extent money is available, to pay certain fees and expenses associated with undergraduate classes taken at a school within the Nevada System of Higher Education by the dependent child of a public safety officer who was killed in the line of duty. This bill expands the applicability of this provision to include the payment of such fees and expenses for a dependent child of any other public employee who was killed in the performance of his or her duties.	7/1/2017
<b>AB 26</b>	<b>Criminal History Records Search</b> - Existing law establishes within the Central Repository for Nevada Records of Criminal History a service to conduct a name-based search of records of criminal history of an employee, prospective employee, volunteer or prospective volunteer. (NRS 179A.103) This bill authorizes an employment screening service which has entered into a contract with the Central Repository to inquire about, obtain and provide those records of criminal history to the employer or volunteer organization if the service maintains records of its dissemination of the records of criminal history. This bill also removes the limitation that only allowed employers in this state to use the services so that out of state employers also have access.	5/26/2017
<b>AB 54</b>	<b>Reporting of Work-Related Accidents</b> - Existing law requires an employer to report to the Division of Industrial Relations of the Department of Business and Industry any accident or motor vehicle crash which is fatal to one or more employees or which results in the hospitalization of three or more employees within 8 hours after the time the accident or crash is reported to any agent or employee of the employer. (NRS 618.378) This bill retains the 8-hour reporting requirement for fatalities, but requires an employer to report to the Division any accident or motor vehicle crash which results in inpatient hospitalization of an employee, the amputation of a part of an employee’s body or an employee’s loss of an eye within 24 hours after the time the accident or crash is reported to any agent or employee of the employer. This bill also requires the employer to report the names of the employees who suffered fatalities, amputations or loss of an eye or who were admitted to a hospital as inpatients.	10/1/2017
<b>AB 113</b>	<b>Break Time and Location for Nursing Mothers</b> - Existing law requires employers to provide their employees with meal and rest periods, with certain exceptions. Existing federal law also requires an employer to provide reasonable break time and a private place for employees to express breast milk for a nursing child	7/1/2017

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	for 1 year after the child’s birth. (29 U.S.C. § 207(r)) Sections 2 and 5 of this bill require each public and private employer in this State, other than the Department of Corrections, certain small employers and certain licensed contractors, to provide a reasonable break time and a clean, private place for an employee who is a nursing mother to express breast milk. This break time may be provided with or without compensation. Additionally, sections 2 and 5 prohibit employers from retaliating against an employee who: (1) takes such break time or uses the designated place to express breast milk; or (2) takes any action to enforce this requirement. If a public or private employer would face an undue hardship relating to these requirements, sections 2 and 5 authorize the employer to meet with the employee to discuss potential alternatives. If no agreement is reached on such an alternative, sections 2 and 5 authorize the employer to require the employee to accept a reasonable alternative selected by the employer. Section 2 also authorizes a public employee to file a complaint against his or her public employer for certain violations of sections 2, 4 and 5 of this bill.	
<b>AB 192</b>	<b>Temporary Appointment of Certified Persons with Disabilities</b> - Existing law encourages and authorizes agencies of the Executive Department of the State Government and counties and cities to make temporary limited appointments of certified persons with disabilities to positions in government service for a period not to exceed 700 hours even though the positions being filled are continuing positions. This provision of existing law is commonly referred to as the “700-hour program.” Under existing law, if a person appointed pursuant to the program is subsequently appointed to a permanent position during or after the 700-hour period, the 700 hours or the portion of the 700 hours completed counts toward the employee’s probationary period. (NRS 245.185, 268.4065, 284.327) With limited exceptions, this bill requires rather than authorizes appointing authorities for positions in the state service to make such temporary limited appointments. This bill further requires each such appointing authority to ensure that at least one person on the staff of the appointing authority satisfies certain training requirements.	1/1/2018
<b>AB 276</b>	<b>Prohibition Against Discrimination</b> - Existing law establishes certain employment practices as unlawful and prohibits certain employers, employment agencies and labor organizations from engaging in such practices. (NRS 613.330) Section 3 of this bill prohibits an employer, employment agency or labor organization from discriminating against certain persons for inquiring about, discussing or voluntarily disclosing information	6/3/2017

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	about wages under certain circumstances; revising provisions governing noncompetition covenants; and providing other matters properly relating thereto.	
<b>AB 309</b>	<p><b>Veterans</b> - Existing law requires the Department of Administration to provide an annual report of the total number of veterans employed by each agency in the State to the Interagency Council on Veterans Affairs. Section 3 of this bill requires the Administrator of the Division of Human Resource Management of the Department of Administration to submit to: (1) the Director of the Department of Veterans Services and make available to the public a monthly report listing the names of all veterans and, to the extent the information is available, widows and widowers of persons killed in the line of duty while on active duty in the Armed Forces of the United States, who are employed in the classified or unclassified service of the State; and (2) the Governor and the Director of the Legislative Counsel Bureau for distribution to the Legislature a quarterly report on the number of veterans and, to the extent the information is available, widows and widowers of persons killed in the line of duty while on active duty in the Armed Forces of the United States, who were hired in the classified or unclassified service of the State during the quarter. Finally, section 3 requires the Administrator to ensure that the percentage of officers and employees in such state employment that are veterans and, to the extent the information is available, widows and widowers of persons killed in the line of duty while on active duty in the Armed Forces of the United States, is proportional to the percentage of veterans and, to the extent the information is available, such widows and widowers, who reside in this State and are in the labor force. Existing law requires, with certain exceptions, state agencies in the Executive Department of the State Government to periodically report to the Administrator of the Division of Human Resource Management any appointment, transfer, separation, suspension, reinstatement or any reduction or other change to a position in the public service. (NRS 284.121) Section 4 of this bill requires that such a report include whether the affected appointee or employee is a veteran or, to the extent the information is available, a widow or widower of a person killed in the line of duty while on active duty in the Armed Forces of the United States. Under existing law, the State is required, in establishing lists of persons eligible for appointment or promotion to positions in the classified service, to add 10 points to the passing grade on a competitive examination of a veteran with a disability and 5 points to a passing grade on such an examination of a veteran who does not have a disability</p>	10/1/2017

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	<p>or a widow or widower of a veteran. Existing law authorizes the application of such preference points to any open competitive examination in the classified service, but only to one promotional examination. (NRS 284.260) Section 5 of this bill provides that 10 preference points must be added to the passing grade of all veterans and to the passing grade of widows and widowers of persons killed in the line of duty while on active duty in the Armed Forces of the United States. Section 5 also provides that a person who qualifies under more than one category for preference points cannot combine all those points but is entitled to receive points for only one qualifying category that is most beneficial to the person. Finally, section 5 removes the restriction on applying such preference points to more than one promotional examination. Existing law requires, with certain exceptions, a state agency in the Executive Department of the State Government to give notice to the Administrator of the Division of Human Resource Management of its intention to fill certain vacant positions in the classified service. After receipt of such notice, the Administrator is required to certify from the list of eligible persons, appropriate to the grade and class in which the position is classified, the names of the persons with the highest scores and, if so certified, the appointing state agency may interview those persons for the position. (NRS 284.265) Section 5.5 of this bill requires the Administrator to certify additionally for the position the name of any veteran with a service-connected disability who is also on the list of eligible persons and, if so certified, the appointing state agency must interview the veteran for the position. Under existing law, certain vacant positions in the classified service are not filled by using the foregoing procedure. (Chapter 284 of NRS; chapter 284 of NAC) With regard to such positions, section 5.5 requires the appointing state agency to interview for the position each veteran with a service-connected disability who is a qualified applicant for the position. Additionally, if there are veterans without a service-connected disability who are qualified applicants for the position, section 5.5 requires the appointing state agency to interview for the position a number of such veterans that is equal to at least 22 percent of the total number of qualified applicants interviewed for the position or, if there is not a sufficient number to reach that percentage, interview for the position each such veteran who is a qualified applicant for the position.</p>	
<p><b>AB 337</b></p>	<p><b>Expanded National Guard Member Rights</b> - Under existing law, the employer of a member of the Nevada National Guard is prohibited from terminating the member's employment because he or she is ordered to</p>	<p>7/1/2017</p>

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	active service or otherwise required by law to perform duties as a member of the Nevada National Guard. Section 1 of this bill expands existing law by prohibiting the employer of a member of the National Guard of another state who is employed in this State from terminating the member’s employment because he or she is ordered to active service or otherwise required by the law of that state to perform duties as a member of the National Guard of that state.	
<b>AB 384</b>	<b>Criminal History</b> - Providing generally that the criminal history of an applicant or other qualified person under consideration for a position in the unclassified or classified service of the State may be considered only under certain circumstances; prohibiting the Administrator, when examining an applicant for a position in the classified service of the State, from considering the criminal history of the applicant; providing that, except in certain circumstances, the criminal history of a person may serve as the basis for the Administrator to refuse to certify an applicant or for rescission of a conditional offer of employment in the unclassified or classified service of the State only after consideration of certain factors relating to the criminal history of the person; providing for written notice to a person if the criminal history of the person is the basis for the Administrator’s refusal to certify the person or for the rescission of a conditional offer of employment; authorizing the filing of a complaint with the Nevada Equal Rights Commission under certain circumstances; and providing other matters properly relating thereto.	1/1/2018
<b>AB 466</b>	<b>Contract with a Former State Employee</b> - With certain exceptions, existing law prohibits officers, departments, institutions, boards, commissions and other agencies in the Executive Department of the State Government from entering into a contract for services with a former employee of a state agency if less than 2 years have expired since the termination of the former employee’s employment with the State. This bill excludes from this limitation a former state employee who is not receiving retirement benefits under the Public Employees’ Retirement System during the duration of the contract.	7/1/2017
<b>AB 467</b>	<b>Personnel Commission</b> - Existing law provides for the appointment of five members to the Personnel Commission in the Division of Human Resource Management of the Department of Administration and establishes that three members of the Commission constitute a quorum. Existing law further authorizes a quorum to exercise any power conferred on the Commission other than adopting, amending or rescinding regulations of the Commission which requires a majority vote of the entire Commission. (NRS 284.030,	7/1/2017

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	284.055) Sections 1 and 2 of this bill: (1) require the Governor to appoint five alternate members to the Commission; (2) revise the quorum requirements of the Commission; and (3) provide that a majority vote of the five members of the Commission is required for any action by the Commission.	
<b>AB 517</b>	<b>Employee Pay</b> - This act establishes the maximum allowed salaries for certain employees in the classified and unclassified service of the State, making appropriations for the payment of salaries, and grants a 2% COLA increase on July 1, 2017, and another 2% COLA increase on July 1, 2018.	7/1/2017
<b>SB 72</b>	<b>Merit Award Program</b> - Existing law establishes the Merit Award Program to provide awards to state employees who propose suggestions which would reduce or eliminate state expenditures or improve the operation of the State Government. (NRS 285.030, 285.060) The Program is administered by the Merit Award Board. Under existing law, the Merit Award Board is authorized, within the limits of legislative appropriations, to expend a maximum of \$1,000 for expenses relating to the operation of the Board. (NRS 285.030) Section 2 of this bill increases the maximum amount authorized, within the limits of legislative appropriations, for such expenditures from \$1,000 to \$5,000. Existing law enumerates the criteria for an employee suggestion to be eligible for an award from the Merit Award Program and includes, as part of the criteria, the requirement that the suggestion is not under active consideration by the state agency affected. (NRS 285.050) Section 3 of this bill amends the criteria for eligibility for such an award to require that the suggestion has not been previously considered by the state agency affected. Existing law requires the Secretary of the Board to refer the employee suggestion to the head of the state agency or agencies affected, or his or her designee, for consideration. Existing law further: (1) requires the head of the state agency, or his or her designee, to report his or her findings and recommendations concerning the employee suggestion to the Board within 30 days after the referral; and (2) sets forth the required contents of the report. (NRS 285.060) Section 4 of this bill: (1) requires the head of the state agency, or his or her designee, to report recommendations concerning the employee suggestion only if applicable rather than requiring such recommendations for each employee suggestion that was referred; (2) provides that the Board may extend the 30-day reporting period; (3) revises the manner of distribution of an award if the employee suggestion was submitted by a group of state employees; and (4) revises the timeline for the Board to submit the required annual report concerning employee suggestions to the Budget Division of the Office of	7/1/2017

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	Finance and the Interim Finance Committee. Under existing law awards made to state employees under the Merit Award Program are required to be paid in two equal installments. One payment is required to be made within 30 days after the end of the first fiscal year during which the employee suggestion was adopted and one payment is required to be made within 30 days after the end of the subsequent fiscal year. (NRS 285.070) Section 5 of this bill provides instead that: (1) the first payment is required to be made within 90 days after the end of the fiscal year during which the State realized certain savings or improvement in the operation of State Government as a result of the adoption of the employee suggestion; and (2) the second payment is required to be made within 90 days after the end of the fiscal year immediately following the fiscal year during which the first installment was paid.	
<b>SB 84</b>	<b>Ethics in Government</b> - This bill revises certain procedures of the Commission on Ethics and the remedial authority of the Commission; designating certain persons as public officers and employees for the purposes of the Nevada Ethics in Government Law; revising the code of ethical standards applicable to public officers and employees; revising provisions governing the disclosure of certain information and the filing of certain disclosure statements by public officers and employees; providing for the execution and filing by a public officer of a single acknowledgment of statutory ethical standards for all public offices held concurrently by the officer; revising provisions relating to the employment of former public officers and employees; and providing other matters properly relating thereto.	Sections 1 to 15.5, inclusive, 16.5 to 30, inclusive, and section 31 effective on 7/1/2017. Sections 15.7 and 16 effective on 1/1/2018.
<b>SB 137</b>	<b>Collection of Veterans’ Data</b> - Existing law requires certain state agencies and regulatory bodies to collect and report to the Interagency Council on Veterans Affairs certain data relating to veterans. (NRS 417.0194, 622.120) Sections 1 and 2 of this bill require such a state agency or regulatory body to include the following questions on each form used to collect data from a veteran: (1) “Have you ever served on active duty in the Armed Forces of the United States and separated from such service under conditions other than dishonorable?”; (2) “Have you ever been assigned to duty for a minimum of 6 continuous years in the National Guard or a reserve component of the Armed Forces of the United States and separated from such service under conditions other than dishonorable?”; and (3) “Have you ever served the Commissioned Corps	6/4/2017

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	of the United States Public Health Service or the Commissioned Corps of the National Oceanic and Atmospheric Administration of the United States in the capacity of a commissioned officer while on active duty in defense of the United States and separated from such service under conditions other than dishonorable?"	
<b>SB 188</b>	<b>Prohibition Against Discrimination</b> - This bill revises provisions of existing law that prohibit various types of discrimination and discriminatory practices to include gender identity or expression and sexual orientation.	7/1/2017
<b>SB 253</b>	<b>Nevada Pregnant Workers' Fairness Act</b> - This bill requires certain employers to provide reasonable accommodations to female employees and applicants for employment for a condition of the employee or applicant relating to pregnancy, childbirth or a related medical condition, except in certain circumstances; prohibiting certain other discriminatory practices by employers relating to pregnancy, childbirth or a related medical condition; authorizing the Nevada Equal Rights Commission to investigate complaints of such unlawful employment practices; requiring the Commission to carry out programs to educate employers and others about certain rights and responsibilities; and providing other matters properly relating thereto.	Effective June 2, 2017, for the purpose of providing the notice required pursuant to section 19 of this act; and on October 1, 2017, for all other purposes.
<b>SB 361</b>	<b>Rights for Victims of Domestic Violence</b> - Existing law sets forth certain unlawful acts which constitute domestic violence when committed against certain specified persons. (NRS 33.018) Section 1 of this bill requires an employer to provide certain hours of leave to an employee who has been employed by the employer for at least 90 days and who is a victim of an act which constitutes domestic violence, or such an employee whose family or household member is a victim of an act which constitutes domestic violence and the employee is not the alleged perpetrator. Section 1 specifically requires that such an employee is entitled to 160 hours of leave during a 12-month period. Such leave: (1) may be paid or unpaid; (2) must be used within the 12 months immediately following the date on which the act which constitutes domestic violence occurred; (3) may be used consecutively or intermittently; and (4) under certain circumstances, must be deducted from leave permitted by the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et seq.	Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks necessary



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	Section 1 authorizes an employee to use the leave for purposes related to a person who is a victim of an act which constitutes domestic violence. Section 4 of this bill prohibits the Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation from disqualifying a person from receiving unemployment compensation benefits if: (1) the person left employment to protect himself or herself, or his or her family or household member, from an act which constitutes domestic violence; and (2) the person actively engaged in an effort to preserve employment. Section 4 also authorizes the Administrator to request evidence from the person to support a claim for benefits. Section 6 of this bill requires an employer to provide reasonable accommodations which will not create an undue hardship for an employee who is a victim of an act which constitutes domestic violence or whose family or household member is a victim of an act which constitutes domestic violence. Section 7 of this bill prohibits an employer from conditioning the employment of an employee or prospective employee or taking certain employment actions because: (1) the employee is a victim of an act which constitutes domestic violence; (2) the employee's family or household member is a victim of an act which constitutes domestic violence; or (3) of other circumstances related to being a victim of an act which constitutes domestic violence.	to carry out the provisions of this act, and on January 1, 2018, for all other purposes.
<b>SB 368</b>	<b>Employee Pay</b> - Section 1 of this bill requires that the approximate maximum salaries as set forth in section 1 of Assembly Bill No. 517 of this session must be increased by an additional 1% effective on July 1, 2017, and an additional 1% effective on July 1, 2018.	7/1/2017
<b>SB 478</b>	<b>Employee Rights Related to Investigations</b> - Existing law requires an appointing authority to take certain actions when dismissing, involuntarily demoting or suspending a permanent classified employee in the state service or conducting an internal administrative investigation which may result in the dismissal, involuntary demotion or suspension of a permanent classified employee. (NRS 284.385, 284.387; NAC 284.655) Section 2 of this bill requires an appointing authority to provide an employee with notice of the allegations against the employee within 30 days after the appointing authority becomes aware, or reasonably should have become aware, of the allegations. Existing law requires an appointing authority to complete an internal administrative investigation and make a determination whether to dismiss, involuntarily demote or suspend an employee within 90 days after providing the employee with notice of the allegations, unless the appointing authority obtains approval for an extension of time. (NRS 284.387) Section 2 prohibits an	7/1/2017

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	appointing authority from dismissing, involuntarily demoting or suspending an employee based on allegations if the investigation into those allegations does not result in a determination regarding disciplinary action within the prescribed time period. Existing law authorizes a permanent employee to appeal a dismissal, involuntary demotion or suspension in a hearing before the hearing officer of the Personnel Commission. (NRS 284.390) If the employee requests such a hearing, section 3 of this bill requires the appointing authority of the employee to produce and allow the employee or his or her representative to inspect or receive a copy of any document or evidence related to the internal investigation leading to the employee's dismissal, involuntary demotion or suspension within 5 days after a request is made by the employee or his or her representative.	
<b>SB 502</b>	<b>Public Employees Benefit Program and the Deferred Compensation Program</b> - This bill makes the Public Employees Deferred Compensation Program part of the Department of Administration and revises provisions related to the Public Employee Benefit Program.	7/1/2017
<b>SCR 6</b>	<b>Study to Review Employee Pay</b> - Directing the Legislative Commission to appoint a committee to conduct an interim study concerning salaries for certain positions in the unclassified and nonclassified service of the State.	6/8/2017