

(ON BEHALF OF DEPARTMENT OF PERSONNEL)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: Yes.

2

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

1 **Section 1.** NRS 284.355 is hereby amended to read as follows:
2 284.355 1. Except as otherwise provided in this section, all
3 employees in the public service, whether in the classified or unclassified
4 service, are entitled to sick and disability leave with pay of 1 1/4 working
5 days for each month of service, which may be cumulative from year to
6 year. ~~[After an employee has accumulated 90 working days of sick leave,~~
7 ~~the amount of additional unused sick leave which he is entitled to carry~~
8 ~~forward from one year to the next is limited to one-half of the unused sick~~
9 ~~leave accrued during that year, but the department may by regulation~~
10 ~~provide for subsequent use of unused sick leave accrued but not carried~~
11 ~~forward by reason of this limitation in cases where the employee is~~
12 ~~suffering from a long term or chronic illness and has used all sick leave~~
13 ~~otherwise available to him.]~~ Upon the retirement of an employee, his
14 termination through no fault of his own or his death while in public
15 employment, the employee or

1 his beneficiaries are entitled to payment for his unused sick leave in excess
2 of 30 days ~~[-exclusive of any unused sick leave accrued but not carried~~
3 ~~forward,]~~ according to his number of years of public service, except
4 service with a political subdivision of the state, as follows:

5 (a) For 10 years of service or more but less than 15 years, not more than
6 \$2,500.

7 (b) For 15 years of service or more but less than 20 years, not more than
8 \$4,000.

9 (c) For 20 years of service or more but less than 25 years, not more than
10 \$6,000.

11 (d) For 25 years of service or more, not more than \$8,000.

12 The department may by regulation provide for additional sick and
13 disability leave for long-term employees and for prorated sick and
14 disability leave for part-time employees.

15 2. An employee entitled to payment for unused sick leave pursuant to
16 subsection 1 may elect to receive the payment in any one or more of the
17 following forms:

18 (a) A lump-sum payment.

19 (b) An advanced payment of the premiums for insurance coverage for
20 which he is otherwise eligible pursuant to chapter 287 of NRS. If the
21 insurance coverage is terminated and the money advanced for premiums
22 pursuant to this subsection exceeds the amount which is payable for
23 premiums for the period for which the former employee was actually
24 covered, the unused portion of the advanced payment must be paid
25 promptly to the former employee or, if he is deceased, to his beneficiary.

26 (c) The purchase of additional retirement credit, if he is otherwise
27 eligible pursuant to chapter 286 of NRS.

28 3. Officers and members of the faculty of the University and
29 Community College System of Nevada are entitled to sick and disability
30 leave as provided by the regulations adopted pursuant to subsection 2 of
31 NRS 284.345.

32 4. The department may by regulation provide policies concerning
33 employees with mental or emotional disorders which:

34 (a) Utilize a liberal approach to the granting of sick leave or leave
35 without pay when it is necessary for them to be absent for treatment or
36 temporary hospitalization.

37 (b) Provide for the retention of their jobs for reasonable periods of
38 absence, and where extended absence necessitates separation or retirement,
39 provide for their reemployment if at all possible after recovery.

40 (c) Protect employee benefits such as retirement, life insurance and
41 health benefits.

1 5. The director shall establish by regulation a schedule for the accrual
2 of sick leave for employees who regularly work more than 40 hours per
3 week or 80 hours biweekly. The schedule must provide for the accrual of
4 sick leave at the same rate proportionately as employees who work a 40-
5 hour week accrue sick leave.

6 6. The department may investigate any instance in which it believes
7 that an employee has taken sick or disability leave to which he was not
8 entitled. If, after notice to the employee and a hearing, the commission
9 determines that he has in fact taken sick or disability leave to which he was
10 not entitled, the commission may order the forfeiture of all or part of his
11 accrued sick leave.

12 **Sec. 2.** Any unused sick leave accrued by an employee who is in the
13 public service on July 1, 1999, that was not carried forward by the
14 employee because of the limitation set forth in NRS 284.355, but was
15 placed in a separate account pursuant to NAC 284.546, must be transferred
16 to the account of the employee on July 1, 1999.

17 **Sec. 3.** This act becomes effective on July 1, 1999.