

ASSEMBLY BILL NO. 468—ASSEMBLYMEN ARBERRY, GIUNCHIGLIANI, WILLIAMS
AND GOLDWATER

MARCH 10, 1999

JOINT SPONSOR: SENATOR NEAL

Referred to Committee on Ways and Means

SUMMARY—Revises provisions regarding use of sick leave by state employees. (BDR 23-1286)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: 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 state employees; allowing state employees to convert a limited amount of accrued sick leave to annual leave under certain circumstances; removing the limitation on the amount of unused sick leave a state employee is entitled to carry forward from year to year; increasing the amount that a retiring employee may be paid for his unused sick leave; and providing other matters properly relating thereto.

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 year.
6 ~~{After an employee has accumulated 90 working days of sick leave, the~~
7 ~~amount of additional unused sick leave which he is entitled to carry forward~~
8 ~~from one year to the next is limited to one-half of the unused sick leave~~
9 ~~accrued during that year, but the department may by regulation provide for~~
10 ~~subsequent use of unused sick leave accrued but not carried forward by~~
11 ~~reason of this limitation in cases where the employee is suffering from a~~
12 ~~long-term or chronic illness and has used all sick leave otherwise available~~

1 ~~to him.~~ Upon the retirement of an employee, his termination through no
2 fault of his own or his death while in public employment, the employee or
3 his beneficiaries are entitled to payment for his unused sick leave in excess
4 of 30 days ~~[, exclusive of any unused sick leave accrued but not carried~~
5 ~~forward,]~~ according to his number of years of public service, except service
6 with a political subdivision of the state, as follows:

7 (a) For 10 years of service or more but less than 15 years, not more than
8 ~~[\$2,500.]~~ **\$3,000.**

9 (b) For 15 years of service or more but less than 20 years, not more than
10 ~~[\$4,000.]~~ **\$5,000.**

11 (c) For 20 years of service or more but less than 25 years, not more than
12 ~~[\$6,000.]~~ **\$7,000.**

13 (d) For 25 years of service or more, not more than ~~[\$8,000.]~~ **\$10,000.**

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

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

20 (a) A lump-sum payment.

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

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

30 3. *Except as otherwise provided in this subsection, at the end of the*
31 *biweekly pay period immediately following January 1 and July 1 of each*
32 *year, an employee who has not used more than 10 hours of sick leave in*
33 *that pay period or in the 12 successive pay periods immediately preceding*
34 *that pay period, may request his employer to convert not more than 8*
35 *hours of his accrued sick leave to annual leave. Upon receipt of such a*
36 *request and confirmation that the provisions of this subsection are*
37 *applicable, the employer shall convert the requested number of hours to*
38 *annual leave. The provisions of this subsection do not apply to employees*
39 *who are subject to the provisions of NRS 284.148.*

40 4. Officers and members of the faculty of the University and
41 Community College System of Nevada are entitled to sick and disability
42 leave as provided by the regulations adopted pursuant to subsection 2 of
43 NRS

284.345.

1 ~~14.1~~ 5. The department may by regulation provide policies concerning
2 employees with mental or emotional disorders which:

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

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

9 (c) Protect employee benefits such as retirement, life insurance and
10 health benefits.

11 ~~15.1~~ 6. The director shall establish by regulation a schedule for the
12 accrual of sick leave for employees who regularly work more than 40 hours
13 per week or 80 hours biweekly. The schedule must provide for the accrual
14 of sick leave at the same rate proportionately as employees who work a 40-
15 hour week accrue sick leave.

16 ~~16.1~~ 7. The department may investigate any instance in which it
17 believes that an employee has taken sick or disability leave to which he was
18 not entitled. If, after notice to the employee and a hearing, the commission
19 determines that he has in fact taken sick or disability leave to which he was
20 not entitled, the commission may order the forfeiture of all or part of his
21 accrued sick leave.

22 **Sec. 2.** Any unused sick leave accrued by an employee who is in the
23 public service on July 1, 1999, that was not carried forward by the
24 employee because of the limitation set forth in subsection 1 of NRS
25 284.355, but was placed in a separate account pursuant to NAC 284.546,
26 must be transferred to the account of the employee on July 1, 1999.

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