

ASSEMBLY BILL NO. 122—ASSEMBLYMEN DE BRAGA, ANDERSON,
BERMAN, CHOWNING, COLLINS, GIBBONS, GIUNCHIGLIANI,
HUMKE, KOIVISTO, LEE, MANENDO, OCEGUERA, PARKS AND
SMITH

FEBRUARY 13, 2001

Referred to Concurrent Committees on Government Affairs
and Ways and Means

SUMMARY—Requires payment for all accrued unused sick leave of state employee under
certain circumstances. (BDR 23-691)

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

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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; requiring payment for all accrued unused sick leave of a
state employee under certain circumstances; 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
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~~ *1* year to the next is limited to one-half of the unused
9 sick 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~~ *because* of this limitation in cases where the employee
12 is 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 his beneficiaries are entitled to payment for
16 his unused sick leave ~~in excess of 30 days, exclusive of~~ *, including,*
17 *without limitation,* any unused sick leave accrued but not carried forward .



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1 ~~[, according to his number of years of public service, except service with a~~
2 ~~political subdivision of the state, as follows:~~
3 ~~—(a) For 10 years of service or more but less than 15 years, not more than~~
4 ~~\$2,500.~~
5 ~~—(b) For 15 years of service or more but less than 20 years, not more than~~
6 ~~\$4,000.~~
7 ~~—(c) For 20 years of service or more but less than 25 years, not more than~~
8 ~~\$6,000.~~
9 ~~—(d) For 25 years of service or more, not more than \$8,000.]~~ The
10 department may by regulation provide for additional sick and disability
11 leave for long-term employees and for prorated sick and disability leave for
12 part-time employees.
13 2. An employee entitled to payment for unused sick leave pursuant to
14 subsection 1 may elect to receive the payment in any one or more of the
15 following forms:
16 (a) A lump-sum payment.
17 (b) An advanced payment of the premiums or contributions for
18 insurance coverage for which he is otherwise eligible pursuant to chapter
19 287 of NRS. If the insurance coverage is terminated and the money
20 advanced for premiums or contributions pursuant to this subsection
21 exceeds the amount which is payable for premiums or contributions for the
22 period for which the former employee was actually covered, the unused
23 portion of the advanced payment must be paid promptly to the former
24 employee or, if he is deceased, to his beneficiary.
25 (c) The purchase of additional retirement credit, if he is otherwise
26 eligible pursuant to chapter 286 of NRS.
27 3. Officers and members of the faculty of the University and
28 Community College System of Nevada are entitled to sick and disability
29 leave as provided by the regulations adopted pursuant to subsection 2 of
30 NRS 284.345.
31 4. The department may by regulation provide policies concerning
32 employees with mental or emotional disorders which:
33 (a) ~~[Utilize]~~ *Use* a liberal approach to the granting of sick leave or leave
34 without pay ~~[when]~~ *to such an employee if* it is necessary for ~~[them]~~ *him*
35 to be absent for treatment or temporary hospitalization.
36 (b) Provide for the retention of ~~[their jobs]~~ *the job of such an employee*
37 for *a* reasonable ~~[periods]~~ *period* of absence, and ~~[where]~~ *if an* extended
38 absence necessitates separation or retirement, provide for ~~[their]~~ *the*
39 reemployment *of such an employee* if at all possible after recovery.
40 (c) Protect employee benefits ~~[such as]~~ *, including, without limitation,*
41 retirement, life insurance and health benefits.
42 5. The director shall establish by regulation a schedule for the accrual
43 of sick leave for employees who regularly work more than 40 hours per
44 week or 80 hours biweekly. The schedule must provide for the accrual of
45 sick leave at the same rate proportionately as employees who work a 40-
46 hour week accrue sick leave.
47 6. The department may investigate any instance in which it believes
48 that an employee has taken sick or disability leave to which he was not
49 entitled. If, after notice to the employee and a hearing, the commission



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- 1 determines that he has ~~in fact~~ taken sick or disability leave to which he
- 2 was not entitled, the commission may order the forfeiture of all or part of
- 3 his accrued sick leave.
- 4 **Sec. 2.** This act becomes effective on July 1, 2001.

