

ASSEMBLY BILL NO. 90—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF DEPARTMENT OF PERSONNEL)

FEBRUARY 12, 2001

Referred to Committee on Government Affairs

SUMMARY—Eliminates limitation on amount of unused sick leave employee in public service is entitled to carry forward from year to year. (BDR 23-532)

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 personnel; eliminating the limitation on the amount of unused sick leave that an employee in the public service is entitled to carry forward from year to year; 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~~ *is* 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 his beneficiaries are entitled to payment for
16 his unused sick leave in excess of 30 days, ~~{exclusive of any unused sick~~
17 ~~leave accrued but not carried forward.}~~ according to his number of years of
18 public service, except service with a political subdivision of the state, as
19 follows:



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

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

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

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

8 The department may by regulation provide for additional sick and
9 disability leave for long-term employees and for prorated sick and
10 disability leave for part-time employees.

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

14 (a) A lump-sum payment.

15 (b) An advanced payment of the premiums or contributions for
16 insurance coverage for which he is otherwise eligible pursuant to chapter
17 287 of NRS. If the insurance coverage is terminated and the money
18 advanced for premiums or contributions pursuant to this subsection
19 exceeds the amount which is payable for premiums or contributions for the
20 period for which the former employee was actually covered, the unused
21 portion of the advanced payment must be paid promptly to the former
22 employee or, if he is deceased, to his beneficiary.

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

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

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

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

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

37 (c) Protect employee benefits such as retirement, life insurance and
38 health benefits.

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

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



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- 1 **Sec. 2.** Any unused sick leave accrued by an employee who is in the
2 public service on July 1, 2001, that was not carried forward by the
3 employee because of the limitation set forth in NRS 284.355, but was
4 placed in a separate account pursuant to NAC 284.546, must be transferred
5 to the account of the employee on July 1, 2001.
6 **Sec. 3.** This act becomes effective on July 1, 2001.

