

SENATE BILL NO. 353—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF DEPARTMENT OF ADMINISTRATION)

MARCH 15, 2001

Referred to Committee on Government Affairs

SUMMARY—Establishes procedures for certain state agencies to provide uniforms for certain employees. (BDR 23-406)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: 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; requiring certain state agencies to provide uniforms for certain employees; requiring an employee who has been issued an allotment of uniforms by a state agency to return the allotment of uniforms upon termination from the position; requiring the budget division of the department of administration to determine the content of and accessories required for uniforms of a state agency in consultation with certain other entities; requiring the purchasing division of the department of administration to determine the cost of uniforms and required accessories of a state agency; authorizing an employer to require an employee to pay for the cost of repair or replacement of a uniform provided by the employer 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 281.121 is hereby amended to read as follows:
2 281.121 On or after July 1, ~~1985~~ **2001**:
3 1. An employee of ~~the State of Nevada~~ **this state** who is required to
4 ~~purchase and~~ wear a uniform while performing his duties is entitled to
5 receive from his employer ~~each quarter an allowance which is equal to~~
6 ~~one fourth of the cost of the uniform he is required to wear, including the~~
7 ~~cost of any required accessories such as a flashlight, gun or whistle. The~~
8 ~~employer shall determine the cost of the required uniform and accessories~~
9 ~~at the beginning of each quarter and determine the allowance accordingly.~~
10 ~~2. In addition to the quarterly allowance, a person who:~~
11 ~~—(a) Is hired by the State of Nevada for a position; or~~
12 ~~—(b) Assumes a position which is new to that person;~~



- 1 ~~for which he is required to purchase and wear a uniform is entitled to an~~
2 ~~initial reimbursement for the cost of one uniform and any] :~~
3 (a) Except as otherwise provided in subsection 2, upon initial
4 appointment to his position, an allotment of uniforms and all required
5 accessories ~~[-]~~; and
6 (b) A replacement for an item in his allotment of uniforms or a
7 required accessory if his employer determines that:
8 (1) The item or accessory needs replacing; and
9 (2) The item or accessory was damaged or destroyed by:
10 (I) Ordinary wear and tear; or
11 (II) A means other than ordinary wear and tear while the
12 employee was performing the duties of his position.
13 2. An employee who moves from a position of employment with this
14 state for which he was required to wear a uniform while performing his
15 duties to another position of employment under the same employer who
16 requires him to wear the same or similar uniform as he wore in his
17 previous position:
18 (a) Shall return any items in his allotment of uniforms or accessories
19 which he received pursuant to this section on or after July 1, 2001, and
20 which are not required in his new position; and
21 (b) Is entitled to receive from his employer any items in his allotment
22 of uniforms or accessories which are required in his new position and
23 which he did not receive from his employer while employed in his
24 previous position.
25 3. Except as otherwise provided in subsection 2, a person who
26 received uniform items or required accessories on or after July 1, 2001,
27 pursuant to this section shall return all items and accessories received on
28 or after that date to his employer upon termination of employment in the
29 position for which he was required to wear the uniform and accessories.
30 4. When an employee is entitled to receive an item of his allotment of
31 uniforms or required accessories pursuant to this section, the employer
32 shall:
33 (a) Acquire the item or accessory in accordance with chapter 333 of
34 NRS and provide the item or accessory to the employee; or
35 (b) If appropriate, provide the employee with a mechanism approved
36 by the purchasing division of the department of administration that
37 allows the employee to obtain the item or accessory directly from a
38 vendor who has been awarded a contract to sell such an item or
39 accessory pursuant to chapter 333 of NRS.
40 5. An employer may require an employee to pay for the cost of repair
41 or replacement of an item of his allotment of uniforms or a required
42 accessory that the employer determines was damaged or destroyed:
43 (a) By a means other than ordinary wear and tear; and
44 (b) While the employee was not performing the duties of his position.
45 6. An employer must obtain the prior approval of the budget division
46 of the department of administration before designating a uniform to be
47 worn by an employee. ~~[pursuant to subsection 1.]~~
48 7. The budget division of the department of administration, in
49 consultation with the employers who employ persons who are required to



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1 *wear uniforms and accessories and any labor unions whose members*
2 *include persons who are required to wear uniforms and accessories, shall*
3 *determine the content of an allotment of uniforms and required*
4 *accessories for each position of employment for which a uniform must be*
5 *issued pursuant to this section.*

6 8. *Based upon the content of an allotment of uniforms determined*
7 *pursuant to subsection 7, the purchasing division of the department of*
8 *administration shall determine the cost of each item in an allotment of*
9 *uniforms and each required accessory for use in preparing the estimates*
10 *of expenditure requirements required pursuant to NRS 353.210.*

11 **Sec. 2.** NRS 289.800 is hereby amended to read as follows:

12 289.800 ~~In addition to the compensation required by NRS 281.121, a~~

13 A state agency that employs a person:

14 1. Upon whom some or all of the powers of a peace officer are
15 conferred pursuant to subsection 1 of NRS 289.180, subsection 1 of NRS
16 289.220 or subsection 2 or 5 of NRS 289.270; and

17 2. Who is required to purchase and wear his own ~~uniform or other~~
18 clothing, accessories or safety equipment while performing his duties for
19 the state as a peace officer,

20 may, after first obtaining the written approval of the director of the
21 department of administration, reimburse that person for the cost to repair or
22 replace his ~~required uniform or other~~ clothing, accessories or safety
23 equipment if it is damaged or destroyed, by means other than ordinary
24 wear and tear, while he is performing his duties for the state as a peace
25 officer.

26 **Sec. 3.** This act becomes effective on July 1, 2001.

