

SENATE BILL NO. 95—SENATOR TITUS

FEBRUARY 9, 2001

Referred to Committee on Government Affairs

SUMMARY—Revises provisions authorizing state employees to obtain additional retirement credit as payment for unused sick leave. (BDR 23-210)

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; revising the provisions authorizing state employees to obtain additional retirement credit as payment for 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
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~~ *in either or a*
18 *combination of the following forms:*
19 *(a) Through the purchase of additional retirement credit, if he is*
20 *otherwise eligible pursuant to chapter 286 of NRS, in the amount of 1*
21 *day of service credit for each hour of unused sick leave.*
22 *(b) According* to his number of years of public service, except service
23 with a political subdivision of the state, as follows:



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



1 not entitled, the commission may order the forfeiture of all or part of his
2 accrued sick leave.

3 **Sec. 2.** NRS 286.3005 is hereby amended to read as follows:

4 286.3005 ~~1A~~ *Except as otherwise required to carry out the*
5 *provisions of NRS 284.355, a* state agency may purchase credit for service
6 on behalf of a member only as provided in NRS 286.3007. Except as
7 otherwise required as a result of NRS 286.537 or 391.165, any other public
8 employer may pay any portion of the cost to purchase credit for service
9 under NRS 286.300, but is not required to do so. No credit may be
10 validated unless the cost of purchasing credit has been paid.

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

