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**JON L. SASSER, ESQ.  
LEGAL SERVICES  
STATEWIDE ADVOCACY COORDINATOR**

**650 Tahoe Street  
Reno, Nevada 89509  
775-329-2727, Ext.22  
[jsasser@washoelegalservices.org](mailto:jsasser@washoelegalservices.org)**

**TESTIMONY SUPPORTING SB 22**

**Senate Commerce Committee  
February 7, 2002**

Chairman Townsend and members of the Committee, for the record I am Jon Sasser representing Washoe Legal Services, Nevada Legal Services and the Washoe County Senior Law Project. Each of these programs represent low income individuals who are denied equal opportunities in employment. We support SB 22's proposed changes to Nevada's employment discrimination laws and applaud Neal for introducing this bill.

Under current N.R.S. 613.310(2) employers who have less than 15 employees are not required to comply with Nevada's employment discrimination laws. I suppose the rationale is to protect the "little guy" from expensive litigation which may drive him/her out of business.

In my experience with the statute, the "little guy" isn't necessarily so little. While I don't have extensive practice experience in this area, I did have one case which embodied both of the issues in SB 22. I filed suit in federal court a few years ago alleging that my client had been discharged from his employment due to his age and/or perceived disability in violation of both state and federal law. My client's employer was a corporation with less than 15 employees. However, the principal owner/executive of that corporation also owned another corporation with some interlocking employees. Both companies did business in the same building which he also owned. Between the two corporations there were over 20 employees. I argued that the two companies should be considered as a single entity for purposes of N.R.S. 613.310(2). Although NERC Initially agree with me, the court felt otherwise and I lost the case.

I felt badly for my client because he did not suffer any less from the alleged discrimination than an employee of a slightly larger company. Due to the

financial health and insured status of the employer, I also do not believe that there was any financial inability to pay the damages sought.

This limited state remedy should not cause a great burden on smaller employers. NERC damages are limited by NRS 233.170 to 2 years back pay plus interest. We ask you to eliminate the current "license to discriminate" by passing SB 22.