

ASSEMBLY BILL NO. 319—ASSEMBLYWOMAN WEBER (BY REQUEST)

MARCH 21, 2005

Referred to Concurrent Committees on
Government Affairs and Ways and Means

SUMMARY—Requires employer to post notice of rights and
benefits available to persons who perform service in
uniformed services. (BDR 53-352)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
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 employment practices; requiring an employer to
post within the place of employment a notice informing
employees of the rights and benefits available to persons
who perform service in the uniformed services; and
providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law requires employers to post within the place of employment various
- 2 notices informing employees of certain rights and benefits. Existing law requires
- 3 such notices to be posted in regard to matters such as the use of lie detectors and
- 4 certain statutory provisions concerning compensation, wages and hours. (NRS
- 5 608.013, 613.460) Federal law requires employers to post notices describing the
- 6 applicable provisions of the Americans with Disabilities Act of 1990 and Title VII
- 7 of the Civil Rights Act of 1964. (29 C.F.R. § 1601.30)
- 8 This bill requires each employer to post in a conspicuous location within the
- 9 place of employment a notice informing employees of the rights and benefits
- 10 available to persons who perform service in the uniformed services.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 613 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Each employer shall post in a conspicuous location within the place of employment a notice informing employees of the rights and benefits available to persons who perform service in the uniformed services, including, without limitation, the rights and benefits available to such persons pursuant to:

(a) The Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. §§ 4301 et seq.; and

(b) The Servicemembers Civil Relief Act, 50 App. U.S.C. §§ 501 et seq.

2. The Labor Commissioner shall, by regulation, prescribe the form and content of the notice required by subsection 1.

3. As used in this section:

(a) "Service in the uniformed services" means:

(1) The performance of duty on a voluntary or involuntary basis in uniformed service under competent authority, including active duty, active duty for training, initial active duty for training, inactive duty training and full-time National Guard duty, and includes any periods for which a person is absent from a position of employment for the purpose of an examination to determine his fitness to perform such a duty;

(2) Service in the Armed Forces of the United States pursuant to a declaration of war, authorization by the United States Congress or Presidential proclamation pursuant to the War Powers Resolution, 50 U.S.C. §§ 1541 et seq., or national emergency; and

(3) Active duty in the Nevada National Guard and, when called into active service by the Governor, the Nevada National Guard Reserve.

(b) "Uniformed services" means the Armed Forces of the United States, as defined in 10 U.S.C. § 101(a)(4), including, without limitation, reserve components of the Armed Forces, the Army National Guard and the Air National Guard, the Commissioned Corps of the United States Public Health Service and any other category of persons designated by the President of the United States in time of war or emergency.

Sec. 2. This act becomes effective on July 1, 2005.

