

ASSEMBLY BILL NO. 345—ASSEMBLYMEN BUCKLEY, HORNE, CONKLIN, OCEGUERA, SMITH, ALLEN, ANDERSON, ARBERRY, ATKINSON, BEERS, CARPENTER, CLABORN, DENIS, GERHARDT, GOEDHART, GOICOECHEA, KIHUEN, KIRKPATRICK, MABEY, MARVEL, MCCLAIN, OHRENSCHALL, PARNELL, PIERCE, SEGERBLOM, STEWART AND WOMACK

MARCH 15, 2007

JOINT SPONSORS: SENATORS SCHNEIDER, TITUS, CARLTON, HORSFORD AND WOODHOUSE

Referred to Committee on Commerce and Labor

SUMMARY—Clarifies that certain relationships between persons with disabilities and training or rehabilitation centers do not constitute employment for the purposes of provisions governing the minimum wage. (BDR 53-1111)

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 employment; clarifying that certain relationships between persons with disabilities and training or rehabilitation centers do not constitute employment for the purposes of provisions governing the minimum wage; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law governs the minimum wage that must be paid to an employee.
- 2 (Chapter 608 of NRS; Nev. Const. Art. 15, § 16) This bill clarifies that certain
- 3 relationships do not constitute "employment" and are therefore not subject to these
- 4 provisions. The relationships are: (1) the relationship between a rehabilitation
- 5 facility or workshop and a handicapped individual participating in a training or
- 6 rehabilitative program pursuant to chapter 615 of NRS; and (2) the relationship
- 7 between a community-based training center that has been issued a certificate of



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8 qualification pursuant to NRS 435.130 to 435.320, inclusive, and an enrollee
9 participating in a training or rehabilitative program at the center. These
10 relationships constitute training or rehabilitation of persons with certain disabilities,
11 not employment.

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

1 **Section 1.** Chapter 608 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *For the purposes of this chapter and any other statutory or*
4 *constitutional provision governing the minimum wage paid to an*
5 *employee, the following relationships do not constitute*
6 *employment relationships and are therefore not subject to those*
7 *provisions:*

8 1. *The relationship between a rehabilitation facility or*
9 *workshop established by the Department of Employment, Training*
10 *and Rehabilitation pursuant to chapter 615 of NRS and a*
11 *handicapped individual participating in a training or rehabilitative*
12 *program at such a facility or workshop.*

13 2. *The relationship between a community-based training*
14 *center that has been issued a certificate of qualification by the*
15 *Division of Mental Health and Developmental Services of the*
16 *Department of Health and Human Services pursuant to NRS*
17 *435.130 to 435.320, inclusive, and an enrollee participating in a*
18 *training or rehabilitative program at such a center.*

19 **Sec. 2.** This act becomes effective upon passage and approval.

