

Amendment No. 471

Assembly Amendment to Assembly Bill No. 494

(BDR 53-1199)

Proposed by: Assembly Committee on Commerce and Labor**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) ***blue bold italic*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold*** is newly added transitory language.

RBL



Date: 4/19/2007

A.B. No. 494—Makes various changes relating to unemployment compensation.
(BDR 53-1199)



ASSEMBLY BILL NO. 494—COMMITTEE ON COMMERCE AND LABOR

MARCH 22, 2007

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes relating to unemployment compensation.
(BDR 53-1199)

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 unemployment compensation; providing that a person who is unemployed due to a lockout is eligible for unemployment compensation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that a person cannot receive unemployment compensation if the Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation finds that the unemployment is due to a labor dispute. (NRS 612.395) This bill ~~defines~~ **provides that** "labor dispute" ~~(to mean any dispute which is)~~ **does not include** a lockout. As such, a person who is unemployed due to a lockout is now eligible to receive unemployment compensation.

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

Section 1. NRS 612.395 is hereby amended to read as follows:

612.395 1. A person is disqualified for benefits for any week with respect to which the Administrator finds that his total or partial unemployment is due to a labor dispute in active progress at the factory, establishment or other premises at which he is or was last employed.

2. This section does not apply if it is shown to the satisfaction of the Administrator that:

(a) The person is not participating in or financing or directly interested in the labor dispute which caused his unemployment; and

(b) The person does not belong to a grade or class of workers of which, immediately before the commencement of the labor dispute, there were members employed at the premises at which the labor dispute occurs, any of whom are participating in or financing or directly interested in the labor dispute, but if in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department shall, for the purposes of this section, be deemed to be a separate factory, establishment or other premises.

1 3. As used in this section ~~+~~
2 ~~== (a) "Labor dispute" includes any type of~~ "labor dispute" ~~[- except]~~ does not
3 include a lockout.
4 ~~[- (b) "Lockout" means a labor dispute in which the employer withholds~~
5 ~~employment from an employee and wholly or partially closes the workplace.]~~