

Amendment No. 96

Assembly Amendment to Assembly Bill No. 181	(BDR 53-833)
Proposed by: Assembly Committee on Commerce and Labor	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

BRU/WLK



Date: 4/4/2019

A.B. No. 181—Revises provisions governing employment attendance practices.
(BDR 53-833)



ASSEMBLY BILL NO. 181—ASSEMBLYMEN ASSEFA, MCCURDY, FUMO; BACKUS, BILBRAY-AXELROD, CARLTON, CARRILLO, COHEN, DURAN, FLORES, GORELOW, JAUREGUI, MARTINEZ, MILLER, MONROE-MORENO, MUNK, NGUYEN, SPIEGEL, SPRINKLE, THOMPSON, TORRES, WATTS AND YEAGER

FEBRUARY 18, 2019

JOINT SPONSOR: SENATOR HARRIS

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing employment attendance practices. (BDR 53-833)

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; establishing specific provisions governing practices of employers relating to employee attendance; providing *for administrative* penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits certain employment practices and prohibits employers and their agents or representatives from engaging in such practices. (Chapter 613 of NRS) This bill prohibits an employer from requiring an employee to be physically present at his or her place of employment to report that the employee is sick or injured and cannot work. In addition, this bill specifically allows an employer to require an employee to ~~[(1)]~~ notify the employer that the employee is sick or injured and cannot work. ~~[(1) and (2) provide documentation of the illness or injury from a clinic, physician's office or other medical facility.]~~ This bill ~~[(makes)]~~ *provides that* a violation of **section 1** ~~[(a) misdemeanor and provides for]~~ *may be subject to* administrative penalties.

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. An employer:

(a) Shall not require an employee to be physically present at his or her place of work in order to notify his or her employer that he or she is sick or ~~injured~~ has sustained an injury that is not work-related and cannot work.

1 (b) May require an employee to notify the employer that he or she is sick or
2 injured and cannot report for work.

3 ~~[(c) May require, upon the employee's return to work, a note from a clinic,~~
4 ~~physician's office or other medical facility documenting the employee's illness or~~
5 ~~injury.]~~

6 2. ~~[Any employer, or agent or representative thereof, violating any provision~~
7 ~~of this section is guilty of a misdemeanor and shall be punished by a fine of not~~
8 ~~more than \$5,000.~~

9 ~~3.]~~ In addition to any other remedy or penalty, the Labor Commissioner
10 may impose against ~~each culpable party]~~ any employer or agent or
11 representative thereof that is found to have violated any provision of this section
12 an administrative penalty of not more than \$5,000 for each such violation.

13 ~~[4.]~~ 3. If ~~[a fine or]~~ an administrative penalty is imposed pursuant to this
14 section, the costs of the proceeding, including without limitation, investigative
15 costs and attorney's fees, may be recovered by the Labor Commissioner.

16 Sec. 2. This act becomes effective upon passage and approval.