

ASSEMBLY BILL NO. 180—ASSEMBLYMEN HIBBETTS,
YUREK; AND D’SILVA

FEBRUARY 16, 2023

JOINT SPONSOR: SENATOR PAZINA

Referred to Committee on Government Affairs

SUMMARY—Revises the bargaining units of certain state employees who are peace officers. (BDR 23-765)

FISCAL NOTE: Effect on Local Government: No.
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 collective bargaining; requiring the Government Employee-Management Relations Board to establish separate bargaining units for certain supervisory employees who are peace officers; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Government Employee-Management Relations Board to establish one bargaining unit for certain occupational groups of employees of the Executive Department, including category I peace officers, category II peace officers, category III peace officers and supervisory employees from all occupational groups. (NRS 288.515) **Section 1** of this bill requires the Board to establish a separate bargaining unit for: (1) supervisory employees who are category I peace officers; (2) supervisory employees who are category II peace officers; and (3) supervisory employees who are category III peace officers.

Section 2 of this bill provides that the amendatory provisions of this bill do not apply during the current term of any collective bargaining agreement entered into before October 1, 2023.



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

Section 1. NRS 288.515 is hereby amended to read as follows:

288.515 1. The Board shall establish one bargaining unit for each of the following occupational groups of employees of the Executive Department:

(a) Labor, maintenance, custodial and institutional employees, including, without limitation, employees of penal and correctional institutions who are not responsible for security at those institutions.

(b) Administrative and clerical employees, including, without limitation, legal support staff and employees whose work involves general office work, or keeping or examining records and accounts.

(c) Technical aides to professional employees, including, without limitation, computer programmers, tax examiners, conservation employees and regulatory inspectors.

(d) Professional employees who do not provide health care, including, without limitation, engineers, scientists and accountants.

(e) Professional employees who provide health care, including, without limitation, physical therapists and other employees in medical and other professions related to health.

(f) Employees, other than professional employees, who provide health care and personal care, including, without limitation, employees who provide care for children.

(g) Category I peace officers.

(h) Category II peace officers.

(i) Category III peace officers.

(j) *Supervisory employees who are category I peace officers.*

(k) *Supervisory employees who are category II peace officers.*

(l) *Supervisory employees who are category III peace officers.*

(m) Supervisory employees from all occupational groups ~~+~~
~~—(k)—~~ *other than category I peace officers, category II peace officers or category III peace officers.*

(n) Firefighters.

2. The Board shall determine the classifications of employees within each bargaining unit. The parties to a collective bargaining agreement may assign a new classification to a bargaining unit based upon the similarity of the new classification to other classifications within the bargaining unit. If the parties to a collective bargaining agreement do not agree to the assignment of a new classification to a bargaining unit, the Board must assign a new classification to a bargaining unit based upon the similarity of the new classification to other classifications within the bargaining unit.

3. As used in this section:



(a) “Category I peace officer” has the meaning ascribed to it in NRS 289.460.

(b) “Category II peace officer” has the meaning ascribed to it in NRS 289.470.

(c) “Category III peace officer” has the meaning ascribed to it in NRS 289.480.

(d) “Professional employee” means an employee engaged in work that:

(1) Is predominately intellectual and varied in character as opposed to routine mental, manual, mechanical or physical work;

(2) Involves the consistent exercise of discretion and judgment in its performance;

(3) Is of such a character that the result accomplished or produced cannot be standardized in relation to a given period; and

(4) Requires advanced knowledge in a field of science or learning customarily acquired through a prolonged course of specialized intellectual instruction and study in an institution of higher learning, as distinguished from general academic education, an apprenticeship or training in the performance of routine mental or physical processes.

(e) “Supervisory employee” has the meaning ascribed to it in paragraph (a) of subsection 1 of NRS 288.138.

Sec. 2. Insofar as they conflict with the provisions of such an agreement, the amendatory provisions of this act do not apply during the current term of any collective bargaining agreement entered into before October 1, 2023, but do apply to any extension or renewal of such an agreement and to any collective bargaining agreement entered into on or after October 1, 2023. For the purposes of this section, the term of a collective bargaining agreement ends on the date provided in the agreement, notwithstanding any provision of the agreement that it remains in effect, in whole or in part, after that date until a successor agreement becomes effective.

