
ASSEMBLY BILL NO. 112—ASSEMBLYMEN KIRNER, HICKEY;
DUNCAN, ELLISON, FIORE, GRADY, HAMBRICK,
LIVERMORE, MUNFORD, OSCARSON, STEWART AND
WHEELER

FEBRUARY 13, 2013

JOINT SPONSORS: SENATORS GUSTAVSON; AND KIECKHEFER

Referred to Committee on Government Affairs

SUMMARY—Makes various changes relating to collective bargaining agreements of local government employers. (BDR 23-647)

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 local governments; providing that a collective bargaining agreement between a local government employer and a recognized employee organization expires for certain purposes at the end of the term stated in the agreement; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes a city, county, school district or other local government
2 employer to enter into a collective bargaining agreement with the recognized
3 employee organization for each bargaining unit among its employees. (NRS
4 288.060, 288.150) **Section 1** of this bill is directed to “evergreen” language in a
5 collective bargaining agreement, pursuant to which the agreement remains in effect
6 beyond the end of its stated term until a successor agreement becomes effective.
7 Notwithstanding any such provision, **section 1** generally provides that upon the end
8 of the term stated in a collective bargaining agreement, and until a successor
9 agreement becomes effective, a local government employer shall not increase any
10 salary, wages, contributions or other monetary compensation or benefits paid to or
11 on behalf of employees in the affected bargaining unit.



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

1 **Section 1.** NRS 288.155 is hereby amended to read as follows:
2 288.155 ~~{Agreements entered into between local government~~
3 ~~employers and employee organizations pursuant to this chapter~~
4 ~~may}~~

5 **1. A collective bargaining agreement:**

6 **(a)** May extend beyond the term of office of any member or
7 officer of the local government employer.

8 **(b)** *Expires for the purposes of subsection 2 at the end of the*
9 *term stated in the agreement, notwithstanding any provision of*
10 *the agreement that it remains in effect, in whole or in part, after*
11 *the end of that term until a successor agreement becomes*
12 *effective.*

13 **2.** *Except as otherwise provided in this subsection and*
14 *notwithstanding any provision of the agreement to the contrary,*
15 *upon the expiration of a collective bargaining agreement, if no*
16 *successor agreement is effective and until a successor agreement*
17 *becomes effective, a local government employer shall not pay to or*
18 *on behalf of any employee in the affected bargaining unit any*
19 *salary, wages, contributions or other monetary compensation or*
20 *benefits in any amount greater than the amount in effect as of the*
21 *expiration of the agreement. Compliance with this subsection by*
22 *the local government employer must not be construed as a failure*
23 *to negotiate in good faith. This subsection does not prohibit a local*
24 *government employer from paying an increase in the employer's*
25 *portion of the matching contribution rate for employees and*
26 *employers in accordance with an adjustment in the rate of*
27 *contributions pursuant to NRS 286.450.*

28 **Sec. 2.** The provisions of NRS 288.155, as amended by
29 section 1 of this act, do not apply to any collective bargaining
30 agreement entered into before the effective date of this act during
31 the current term of the agreement, but do apply to any extension or
32 renewal of such an agreement and to any collective bargaining
33 agreement entered into on or after the effective date of this act.

34 **Sec. 3.** This act becomes effective upon passage and approval.

