

ASSEMBLY BILL NO. 337—ASSEMBLYWOMEN PETERS, MONROE-MORENO; ANDERSON, BACKUS AND THOMAS

MARCH 20, 2023

JOINT SPONSOR: SENATOR DONDERO LOOP

Referred to Committee on Ways and Means

SUMMARY—Revises provisions relating to public employment. (BDR 23-1052)

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 state employees; reestablishing a compensation plan to encourage continuity of service for state employees; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Assembly Bill No. 436 of the 2015 Legislative Session repealed a plan to
2 encourage continuity of service for state employees whereby each employee with 8
3 years or more of continuous state service was entitled to a semiannual payment
4 which began at \$75 and increased annually thereafter for each year of continuous
5 service to a maximum semiannual payment of \$1,175. (Chapter 461, Statutes of
6 Nevada 2015, at page 2686) Section 2 of this bill reestablishes that plan. Sections 1
7 and 3 of this bill make conforming changes to reflect the reestablishment of that
8 plan.

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

1 Section 1. NRS 281.123 is hereby amended to read as follows:
2 281.123 1. Except as otherwise provided in subsection 3 or
3 NRS 281.1233, or as authorized by statute referring specifically to
4 that position, the salary of a person employed by the State or any



1 agency of the State must not exceed 95 percent of the salary for the
2 office of Governor during the same period.

3 2. As used in subsection 1, the term "salary":

4 (a) Includes any:

5 (1) Payment received by an employee for being available to
6 work although the employee was not actually required to perform
7 the work;

8 (2) Increase in salary provided to compensate for a rise in the
9 cost of living;

10 (3) *Payment received under a plan established to encourage*
11 *continuity of service;* and

12 ~~[(3)]~~ (4) Payment received as compensation for purportedly
13 performing additional duties.

14 (b) Excludes any:

15 (1) Payment received as compensation for overtime even if
16 that payment is otherwise authorized by law; and

17 (2) Rent or utilities supplied to an employee if the employee
18 is required by statute or regulation to live in a particular dwelling.

19 3. The provisions of subsection 1 do not apply to the salaries
20 of:

21 (a) Dentists and physicians employed full-time by the State; or

22 (b) Officers and employees of the Nevada System of Higher
23 Education.

24 **Sec. 2.** Chapter 284 of NRS is hereby amended by adding
25 thereto a new section to read as follows:

26 *1. A plan to encourage continuity of service, administered by*
27 *the Division, is hereby established for employees with 8 years or*
28 *more of continuous state service. Except as otherwise provided in*
29 *subsection 2, an employee rated standard or better with 8 years or*
30 *more of continuous service is entitled to receive a semiannual*
31 *payment of \$75 plus:*

32 (a) *An annual increase of \$25 in the semiannual payment for*
33 *each year of the employee's ninth through fourteenth years of*
34 *continuous service;*

35 (b) *An annual increase of \$50 in the semiannual payment for*
36 *each year of the employee's fifteenth through twenty-fourth years*
37 *of continuous service; and*

38 (c) *An annual increase of \$75 in the semiannual payment for*
39 *each additional year of continuous service after 24 years, up to a*
40 *maximum payment of 30 years of continuous state service.*

41 2. *The professional employees of the Nevada System of*
42 *Higher Education are not entitled to receive the payments*
43 *provided in subsection 1.*

44 3. *An interruption in continuous state service terminates the*
45 *employee's eligibility for additional pay pursuant to subsection 1.*



1 **4. No year served before the interruption may be counted in**
2 **determining the employee's subsequent eligibility.**

3 **5. As used in this section, "continuous service" means**
4 **uninterrupted service as defined by the Commission.**

5 **Sec. 3.** NRS 284.3775 is hereby amended to read as follows:

6 284.3775 1. Except as otherwise provided in this section,
7 employees of the Supreme Court, employees of the Court of
8 Appeals or employees in the unclassified service of the Executive
9 Branch of the Government of the State of Nevada who have served
10 for 4 consecutive months or more are entitled to transfer to a
11 position having similar duties and compensation in the classified
12 service of the State on the same basis as employees may transfer
13 within the classified service from a position under one appointing
14 authority to a position under another appointing authority.

15 2. An employee of the Legislative Branch of the Government
16 of the State of Nevada who has served for 4 consecutive months or
17 more is entitled to transfer to:

18 (a) Any position in the classified service of the State having
19 similar duties and compensation; or

20 (b) Any other position in the classified service of the State for
21 which the employee is qualified, without regard to the duties and
22 compensation of the position.

23 ↪ Except as otherwise provided in this subsection and subsection 6,
24 such an employee is entitled to transfer to such a position on the
25 same basis as employees may transfer within the classified service
26 from a position under one appointing authority to a position under
27 another appointing authority.

28 3. The benefit conferred by subsections 1 and 2 includes any
29 exemption from the taking of a competitive examination, retention
30 of credits for annual and sick leave **and longevity**, and priority on
31 the lists of eligible persons to the extent that such privileges are
32 accorded to employees transferring within the classified service.

33 4. Except as otherwise provided in subsection 6, the benefits
34 conferred by subsection 1 do not apply to an employee in the
35 unclassified service who is the chief officer of a department or
36 division.

37 5. Except as otherwise provided in this subsection and
38 subsection 6, a person may not transfer pursuant to subsection 1 to a
39 class composed of:

40 (a) Professionally qualified persons; or

41 (b) Officers and administrators who set broad policies and
42 exercise responsibility for the execution of those policies.

43 ↪ A person may transfer to a class described in paragraph (a) or (b)
44 if that class is provided for pursuant to subsection 2 of
45 NRS 284.155.



1 6. The restrictions provided in subsections 4 and 5 do not apply
2 to:

3 (a) An employee of the Legislative Branch of Government; or

4 (b) An employee of the Supreme Court, an employee of the
5 Court of Appeals or an employee in the unclassified service of the
6 Executive Branch of Government whose appointment to that
7 position was immediately preceded by an appointment in the
8 classified service, except that an employee described in this
9 paragraph may only transfer to a position in the classified service
10 that has duties and compensation that are similar either to the
11 employee's current position or to a position the employee previously
12 held in the classified service.

13 7. An employee in the classified service of the State who is
14 granted leave without pay to accept a position in the Legislative
15 Branch of Government during a regular or special session:

16 (a) Is entitled to be restored to the employee's previous position
17 in the classified service upon the completion of the legislative
18 session without loss of seniority or benefits. Seniority must be
19 calculated as if the employee had not taken the leave.

20 (b) Is eligible to fill vacancies in positions within the classified
21 service to the extent that the employee would be eligible if the
22 employee was not on leave from the employee's position in the
23 classified service.

24 8. An employee of the Legislative Branch of the Government
25 of the State of Nevada who is employed at the conclusion of a
26 regular session of the Legislature and is eligible at that time
27 pursuant to subsection 2 to transfer to a position in the classified
28 service of the State may transfer to such a position on or before
29 November 1 following session notwithstanding the termination of
30 the employee's employment with the Legislative Branch of
31 Government before that date.

32 9. For the purposes of this section, the weekly compensation of
33 an employee of the Legislative Branch of Government who is paid a
34 daily salary during a legislative session is seven times the daily
35 salary.

36 **Sec. 4.** This act becomes effective on July 1, 2023.

