
SENATE BILL NO. 146—SENATORS PARKS AND SPEARMAN

FEBRUARY 12, 2015

JOINT SPONSOR: ASSEMBLYWOMAN BUSTAMANTE ADAMS

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions relating to the payment of wages to certain employees. (BDR 53-629)

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 wages; authorizing an employer and employee to enter into a written agreement to exclude from the employee's wages a regularly scheduled sleeping period under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires an employer to pay an employee wages for each hour the
2 employee works. (NRS 608.016) Existing federal regulations allow employees who
3 work shifts of 24 hours or more to agree to not be paid for a sleeping period not to
4 exceed 8 hours under certain circumstances. (29 C.F.R. § 785.22) This bill provides
5 that an employee who works for 24 hours or more may agree to not be paid for a
6 sleeping period not to exceed 8 hours if: (1) adequate sleeping facilities are
7 provided by the employer; and (2) the employee can normally enjoy 8 hours of
8 uninterrupted sleep while on duty.

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

1 **Section 1.** Chapter 608 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. If an employee is required to be on duty for 24 hours or*
4 *more, the employer and employee may agree in writing to exclude*



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1 *from the employee's wages a regularly scheduled sleeping period*
2 *not to exceed 8 hours if:*

3 *(a) Adequate sleeping facilities are furnished by the employer;*
4 *and*

5 *(b) The employee can normally enjoy 8 hours of uninterrupted*
6 *sleep while on duty.*

7 *2. If the sleeping period is interrupted by any call for service*
8 *by the employer, the interruption must be counted as hours*
9 *worked. If the sleeping period is interrupted to such an extent that*
10 *the sleeping period is less than 5 hours, the employee must be paid*
11 *for the entire sleeping period.*

12 *3. As used in this section, "on duty" means any period during*
13 *which an employee is working or is required to remain on the*
14 *premises of the employer.*

15 **Sec. 2.** NRS 608.016 is hereby amended to read as follows:

16 608.016 ~~Am~~ *Except as otherwise provided in section 1 of this*
17 *act, an* employer shall pay to the employee wages for each hour the
18 employee works. An employer shall not require an employee to
19 work without wages during a trial or break-in period.

20 **Sec. 3.** This act becomes effective on July 1, 2015.

