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SENATE BILL NO. 306—SENATOR CANCELA

MARCH 18, 2019

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Referred to Committee on Commerce and Labor

**SUMMARY**—Revises provisions relating to the enforcement of provisions relating to compensation, wages and hours of employees. (BDR 53-1019)

**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.

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**AN ACT** relating to employment; authorizing an employee or a potential claimant to commence an action for recovery of damages that result from certain violations relating to compensation, wages or hours; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law sets forth various provisions governing employment, including  
2 provisions governing compensation, wages and hours. (Chapter 608 of NRS)  
3 Existing law also authorizes an employee to bring a civil action: (1) against an  
4 original contractor liable for certain types of indebtedness concerning labor  
5 incurred by a subcontractor or contractor; and (2) to recover the difference between  
6 the amount paid and the amount of the minimum wage if an employer paid the  
7 employee an amount less than the required minimum wage. (NRS 608.150,  
8 608.260) This bill authorizes an employee of an employer who violated a provision  
9 of law governing compensation, wages or hours or a potential claimant of a claim  
10 arising from such a violation to bring a cause of action to recover damages for such  
11 a violation from any person who caused such damages. This bill additionally allows  
12 the court to award costs and reasonable attorney’s fees to the prevailing party in  
13 such an action.

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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. Notwithstanding the provisions of NRS 608.150 or***  
4 ***608.260, an employee of an employer that has violated a provision***  
5 ***of this chapter or any potential claimant of a claim arising from a***  
6 ***violation of a provision of this chapter may bring a cause of action***  
7 ***to recover all damages that the employee or claimant has***  
8 ***sustained as a result of a violation of this chapter against any***  
9 ***person who directly or indirectly caused such damages.***

10       ***2. In any action under this section for the recovery of***  
11 ***damages, the court may award costs and reasonable attorney's***  
12 ***fees in favor of the prevailing party.***

