

Amendment No. 187

Senate Amendment to Senate Bill No. 147	(BDR 53-463)
Proposed by: Senate Committee on Commerce and Labor	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



SENATE BILL NO. 147—SENATORS LANGE; CANNIZZARO,
DALY, DONATE AND FLORES

FEBRUARY 14, 2023

Referred to Committee on Commerce and Labor

SUMMARY—Makes changes relating to employment. (BDR 53-463)

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 employment; requiring the payment of certain wages and compensation to an employee when an employer ~~lays off~~ **places** the employee ~~to~~ **on a certain work status**; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Under existing law: (1) whenever an employer discharges an employee, the wages and compensation earned and unpaid at the time of the discharge become due and payable immediately; and (2) if an employer fails to pay the wages or compensation within 3 days after the wages or compensation becomes due, the wages and compensation continue at the same rate from the day the employee was discharged until paid or for 30 days, whichever is less. (NRS 608.020, 608.040)

Section 2 of this bill provides that whenever an employer ~~lays off~~ **places** an employee ~~to~~ **on nonworking status**, the wages ~~and compensation~~ earned and unpaid at the time of such ~~layoff~~ **placement** also become due and payable immediately. **As defined for the purposes of section 2, the term “nonworking status” means the temporary layoff of an employee whereby the employee remains employed and may be called back to work at a future date. The term does not include an employee who an employer: (1) places on suspension pending an investigation; (2) places on suspension pursuant to a disciplinary action; (3) places on-call for available work; or (4) approves to take a leave of absence.** **Section 3** of this bill provides that if an employer fails to pay the wages ~~for compensation~~ of ~~a laid-off~~ **an employee placed on nonworking status** within 3 days after the wages ~~for compensation becomes~~ **become** due, the wages ~~for compensation~~ also ~~continues~~ **continue** at the same rate from the day the employee was ~~laid off~~ **placed on nonworking status** until paid or for 30 days, whichever is less. **Section 1** of this bill makes a conforming change to provide that the term “wages” includes amounts due to ~~a laid-off employee~~ **an employee placed on nonworking status**.

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

Section 1. NRS 608.012 is hereby amended to read as follows:
608.012 “Wages” means:

1 1. The amount which an employer agrees to pay an employee for the time the
2 employee has worked, computed in proportion to time;

3 2. Commissions owed the employee; and

4 3. Amounts due to a discharged ~~for laid-off~~ employee, employee placed on
5 nonworking status pursuant to NRS 608.020 or to an employee who resigns or
6 quits pursuant to NRS 608.040,

7 ↳ but excludes any bonus or arrangement to share profits.

8 **Sec. 2.** NRS 608.020 is hereby amended to read as follows:

9 608.020 1. Whenever an employer discharges ~~for lays-off~~ an employee, the
10 wages and compensation earned and unpaid at the time of such discharge ~~for~~
11 ~~lays-off~~ shall become due and payable immediately.

12 2. Whenever an employer places an employee on a nonworking status, the
13 wages earned and unpaid at the time the employee is placed on nonworking
14 status are due and payable immediately.

15 3. As used in this section, "nonworking status" means the temporary layoff
16 of an employee by the employer whereby the employee remains employed and
17 may be called back to work by the employer at a future date. The term does not
18 include an employee who an employer:

19 (a) Places on suspension pending an investigation relating to employment;

20 (b) Places on suspension pursuant to a disciplinary action relating to
21 employment;

22 (c) Places on-call for available work; or

23 (d) Approves to take a leave of absence.

24 **Sec. 3.** NRS 608.040 is hereby amended to read as follows:

25 608.040 1. If an employer fails to pay:

26 (a) Within 3 days after the wages or compensation of a discharged ~~for laid-off~~
27 employee becomes due; ~~for~~

28 (b) Within 3 days after the wages of an employee placed on nonworking
29 status pursuant to NRS 608.020 becomes due; or

30 (c) On the day the wages or compensation is due to an employee who resigns
31 or quits,

32 ↳ the wages or compensation of the employee continues at the same rate from the
33 day the employee resigned, quit or was discharged ~~or laid-off~~ placed on
34 nonworking status until paid or for 30 days, whichever is less.

35 2. Any employee who secretes or absents himself or herself to avoid payment
36 of his or her wages or compensation, or refuses to accept them when fully tendered
37 to him or her, is not entitled to receive the payment thereof for the time he or she
38 secretes or absents himself or herself to avoid payment.

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