

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 the employee; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law: (1) whenever an employer discharges an employee, the
2 wages and compensation earned and unpaid at the time of the discharge become
3 due and payable immediately; and (2) if an employer fails to pay the wages or
4 compensation within 3 days after the wages or compensation becomes due, the
5 wages and compensation continue at the same rate from the day the employee was
6 discharged until paid or for 30 days, whichever is less. (NRS 608.020, 608.040)
7 **Section 2** of this bill provides that whenever an employer lays off an employee,
8 the wages and compensation earned and unpaid at the time of such layoff also
9 become due and payable immediately. **Section 3** of this bill provides that if an
10 employer fails to pay the wages or compensation of a laid off employee within 3
11 days after the wages or compensation becomes due, the wages or compensation
12 also continues at the same rate from the day the employee was laid off until paid or
13 for 30 days, whichever is less. **Section 1** of this bill makes a conforming change to
14 provide that the term “wages” includes amounts due to a laid off employee.

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

1 **Section 1.** NRS 608.012 is hereby amended to read as follows:
2 608.012 “Wages” means:



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

4 2. Commissions owed the employee; and

5 3. Amounts due to a discharged *or laid off* employee or to an
6 employee who resigns or 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 Whenever an employer discharges *or lays off* an
10 employee, the wages and compensation earned and unpaid at the
11 time of such discharge *or layoff* shall become due and payable
12 immediately.

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

14 608.040 1. If an employer fails to pay:

15 (a) Within 3 days after the wages or compensation of a
16 discharged *or laid off* employee becomes due; or

17 (b) On the day the wages or compensation is due to an employee
18 who resigns or quits,

19 ↪ the wages or compensation of the employee continues at the same
20 rate from the day the employee resigned, quit or was discharged *or*
21 *laid off* until paid or for 30 days, whichever is less.

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

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

