

ASSEMBLY BILL NO. 112—ASSEMBLYMEMBER NGUYEN

PREFILED JANUARY 23, 2025

Referred to Committee on Commerce and Labor

SUMMARY—Removes an exemption from provisions providing certain employees with the right to use sick leave to assist family members. (BDR 53-318)

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; removing an exemption for employees covered under a valid collective bargaining agreement from provisions providing certain employees with the right to use sick leave to assist a member of the employee’s immediate family with certain medical needs; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires a private employer that provides employees with sick
2 leave to allow an employee to use accrued sick leave for an absence due to an
3 illness, injury, medical appointment or other authorized medical need of a member
4 of the employee’s immediate family. Existing law exempts an employer from this
5 requirement if the employee is covered under a valid collective bargaining
6 agreement. (NRS 608.01975) **Section 1** of this bill eliminates the exemption,
7 thereby making the requirement applicable to an employer even if the employee is
8 covered under a valid collective bargaining agreement. **Section 2** of this bill
9 provides that the amendatory provisions of **section 1** do not apply during the
10 current term of any collective bargaining agreement entered into before October 1,
11 2025, but do apply to any extension or renewal of such an agreement and to any
12 collective bargaining agreement entered into on or after October 1, 2025.



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

1 **Section 1.** NRS 608.01975 is hereby amended to read as
2 follows:

3 608.01975 1. Except as otherwise provided in this section, if
4 an employer provides paid or unpaid sick leave for the use of his or
5 her employees, the employer must allow an employee to use any
6 accrued sick leave to assist a member of the immediate family of the
7 employee who has an illness, injury, medical appointment or other
8 authorized medical need to the same extent and under the same
9 conditions that apply to the employee when taking such leave.

10 2. An employer may limit the amount of sick leave that an
11 employee may use pursuant to subsection 1 to an amount which is
12 equal to not less than the amount of sick leave that the employee
13 accrues during a 6-month period.

14 3. The Labor Commissioner shall prepare a bulletin which
15 clearly sets forth an explanation of the provisions of this section.
16 The Labor Commissioner shall post the bulletin on the Internet
17 website maintained by the Office of Labor Commissioner and shall
18 require each employer that provides sick leave to employees to post
19 the bulletin in a conspicuous location in each workplace maintained
20 by the employer. The bulletin may be included in any printed
21 abstract posted by the employer pursuant to NRS 608.013.

22 4. The provisions of this section shall not be construed to:
23 (a) Limit or abridge any other rights, remedies or procedures
24 available under the law;

25 (b) Negate any other rights, remedies or procedures available to
26 an aggrieved party;

27 (c) Prohibit, preempt or discourage any contract or other
28 agreement that provides a more generous sick leave benefit or paid
29 time off benefit; or

30 (d) Extend the maximum amount of leave to which an employee
31 is entitled to take pursuant to the Family and Medical Leave Act of
32 1993, 29 U.S.C. §§ 2601 et seq.

33 5. An employer shall not deny an employee the right to use
34 accrued sick leave in accordance with the provisions of this section
35 or retaliate against an employee for attempting to prosecute a
36 violation of this section or for exercising any rights afforded by this
37 section.

38 6. The provisions of this section do not apply ~~to~~
39 ~~—(a) To~~ **to** the extent prohibited by federal law . ~~to~~
40 ~~—(b) With regard to an employee of the employer if the employee~~
41 ~~is covered under a valid collective bargaining agreement.]~~

42 7. As used in this section, “immediate family” means:



1 (a) The child, foster child, spouse, domestic partner, sibling,
2 parent, mother-in-law, father-in-law, grandchild, grandparent or
3 stepparent of an employee; or

4 (b) Any person for whom the employee is the legal guardian.

5 **Sec. 2.** Insofar as they conflict with the provisions of such an
6 agreement, the amendatory provisions of this act do not apply
7 during the current term of any collective bargaining agreement
8 entered into before October 1, 2025, but do apply to any extension
9 or renewal of such an agreement and to any collective bargaining
10 agreement entered into on or after October 1, 2025. For the purposes
11 of this section, the term of an agreement ends on the date provided
12 in the agreement, notwithstanding any provision of the agreement
13 that remains in effect, in whole or in part, after that date until a
14 successor agreement becomes effective.



