
ASSEMBLY BILL NO. 179—ASSEMBLYMEMBER LA RUE HATCH

PREFILED FEBRUARY 2, 2025

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to employment.
(BDR 53-623)

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; eliminating certain exceptions to provisions requiring an employer in private employment to provide paid leave to each employee of the employer under certain circumstances; setting forth certain actions that constitute retaliation for the purposes of provisions prohibiting retaliation against an employee for use of such paid leave; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 With certain exceptions, existing law requires an employer in private
2 employment who has 50 or more employees in this State to provide to an employee
3 at least 0.01923 hours of paid leave for each hour worked. Existing law requires
4 such an employer to allow an employee to use the paid leave beginning on the 90th
5 calendar day of his or her employment and for any use. Existing law prohibits such
6 an employer from retaliating against an employee for using the paid leave available
7 for use by the employee. (NRS 608.0197) This bill eliminates an exception from
8 those provisions that is provided under existing law to an employer who, pursuant
9 to a contract, policy, collective bargaining agreement or other agreement, provides
10 employees with a policy for paid leave or a policy for paid time off to all scheduled
11 employees at a rate of at least 0.01923 hours of paid leave per hour of work
12 performed. Additionally, this bill sets forth certain actions that constitute prohibited
13 retaliation for the purposes of the provisions prohibiting an employer from
14 retaliating against an employee for the use of paid leave.



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

1 **Section 1.** NRS 608.0197 is hereby amended to read as
2 follows:

3 608.0197 1. Except as otherwise provided in this section,
4 every employer in private employment shall provide paid leave to
5 each employee of the employer as follows:

6 (a) An employee is entitled to at least 0.01923 hours of paid
7 leave for each hour of work performed.

8 (b) An employee may, as determined by the employer, obtain
9 paid leave by:

10 (1) Receiving on the first day of each benefit year the total
11 number of hours of paid leave that the employee is entitled to accrue
12 in a benefit year pursuant to paragraph (a); or

13 (2) Accruing over the course of a benefit year the total
14 number of hours of paid leave that the employee is entitled to accrue
15 in a benefit year pursuant to paragraph (a).

16 (c) Paid leave accrued pursuant to subparagraph (2) of paragraph
17 (b) may carry over for each employee between his or her benefit
18 years of employment, except an employer may limit the amount of
19 paid leave for each employee carried over to a maximum of 40
20 hours per benefit year.

21 (d) Except as otherwise provided in paragraph (i), an employer
22 shall:

23 (1) Compensate an employee for the paid leave available for
24 use by that employee at the rate of pay at which the employee is
25 compensated at the time such leave is taken, as calculated pursuant
26 to paragraph (e); and

27 (2) Pay such compensation on the same payday as the hours
28 taken are normally paid.

29 (e) For the purposes of determining the rate of pay at which an
30 employee is compensated pursuant to paragraph (d), the
31 compensation rate for an employee who is paid by:

32 (1) Salary, commission, piece rate or a method other than
33 hourly wage must:

34 (I) Be calculated by dividing the total wages of the
35 employee paid for the immediately preceding 90 days by the
36 number of hours worked during that period;

37 (II) Except as otherwise provided in sub-subparagraph
38 (III), include any bonuses agreed upon and earned by the employee;
39 and

40 (III) Not include any bonuses awarded at the sole
41 discretion of the employer, overtime pay, additional pay for



1 performing hazardous duties, holiday pay or tips earned by the
2 employee.

3 (2) Hourly wage must be calculated by the hourly rate the
4 employee is paid by the employer.

5 (f) An employer may limit the amount of paid leave an
6 employee uses to 40 hours per benefit year.

7 (g) An employer may set a minimum increment of paid leave,
8 not to exceed 4 hours, that an employee may use at any one time.

9 (h) An employer shall provide to each employee on each payday
10 an accounting of the hours of paid leave available for use by that
11 employee. An employer may use the system that the employer uses
12 to pay its employees to provide the accounting of the hours of paid
13 leave available for use by the employee.

14 (i) An employer may, but is not required to, compensate an
15 employee for any unused paid leave available for use by that
16 employee upon separation from employment, except if the employee
17 is rehired by the employer within 90 days after separation from that
18 employer and the separation from employment was not due to the
19 employee voluntarily leaving his or her employment, any previously
20 unused paid leave hours available for use by that employee must be
21 reinstated.

22 2. An employee in private employment may use paid leave
23 available for use by that employee as follows:

24 (a) An employer shall allow an employee to use paid leave
25 beginning on the 90th calendar day of his or her employment.

26 (b) An employer shall allow an employee to use paid leave for
27 any use, including, without limitation:

28 (1) Treatment of a mental or physical illness, injury or health
29 condition;

30 (2) Receiving a medical diagnosis or medical care;

31 (3) Receiving or participating in preventative care;

32 (4) Participating in caregiving; or

33 (5) Addressing other personal needs related to the health of
34 the employee.

35 (c) An employee may use paid leave available for use by that
36 employee without providing a reason to his or her employer for such
37 use.

38 (d) An employee shall, as soon as practicable, give notice to his
39 or her employer to use the paid leave available for use by that
40 employee.

41 3. An employer shall not:

42 (a) Deny an employee the right to use paid leave available for
43 use by that employee in accordance with the conditions of this
44 section;



1 (b) Require an employee to find a replacement worker as a
2 condition of using paid leave available for use by that employee; or

3 (c) Retaliate against an employee for using paid leave available
4 for use by that employee ~~[-]~~, *including, without limitation, by:*

5 *(1) Dismissing, demoting or suspending the employee;*

6 *(2) Issuing a reprimand to the employee;*

7 *(3) Transferring the employee for the purposes of*
8 *punishment;*

9 *(4) Considering, in any way, the employee's use of paid*
10 *leave available for use by the employee in a disciplinary action*
11 *against the employee; or*

12 *(5) Taking any other adverse action against the employee*
13 *for using paid leave available for use by the employee.*

14 4. The Labor Commissioner shall prepare a bulletin which
15 clearly sets forth the benefits created by this section. The Labor
16 Commissioner shall post the bulletin on the Internet website
17 maintained by the Office of Labor Commissioner, if any, and shall
18 require all employers to post the bulletin in a conspicuous location
19 in each workplace maintained by the employer. The bulletin may be
20 included in any printed abstract posted by the employer pursuant to
21 NRS 608.013.

22 5. An employer shall maintain a record of the receipt or accrual
23 and use of paid leave pursuant to this section for each employee for
24 a 1-year period following the entry of such information in the record
25 and, upon request, shall make those records available for inspection
26 by the Labor Commissioner.

27 6. The provisions of this section do not:

28 (a) Limit or abridge any other rights, remedies or procedures
29 available under the law.

30 (b) Negate any other rights, remedies or procedures available to
31 an aggrieved party.

32 (c) Prohibit, preempt or discourage any contract or other
33 agreement that provides a more generous paid leave benefit or paid
34 time off benefit.

35 7. For the first 2 years of operation, an employer is not required
36 to comply with the provisions of this section.

37 8. This section does not apply to ~~[-]~~

38 ~~—(a) An employer who, pursuant to a contract, policy, collective~~
39 ~~bargaining agreement or other agreement, provides employees with~~
40 ~~a policy for paid leave or a policy for paid time off to all scheduled~~
41 ~~employees at a rate of at least 0.01923 hours of paid leave per hour~~
42 ~~of work performed; and~~

43 ~~—(b) Temporary,] temporary, seasonal or on-call employees.~~

44 9. As used in this section:



1 (a) "Benefit year" means a 365-day period used by an employer
2 when calculating the accrual of paid leave.

3 (b) "Employer" means a private employer who has 50 or more
4 employees in private employment in this State.

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 contract of employment, collective
8 bargaining agreement or other agreement entered into before
9 October 1, 2025, but do apply to any extension or renewal of such
10 an agreement and to any agreement entered into on or after
11 October 1, 2025. For the purposes of this section, the term of an
12 agreement ends on the date provided in the agreement,
13 notwithstanding any provision of the agreement that it remains in
14 effect, in whole or in part, after that date until a successor agreement
15 becomes effective.



