

# EMPLOYEE LEAVE & CAREER ENHANCE PROGRAM

STATE OF NEVADA - Department of Business & Industry - OFFICE OF THE LABOR COMMISSIONER - [www.labor.nv.gov](http://www.labor.nv.gov) [mail1@labor.nv.gov](mailto:mail1@labor.nv.gov)

## REQUIRED POSTING – ASSEMBLY BILL 190

<https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7578/Text#>

Effective October 1, 2021, as set forth in Assembly Bill 190 a new section is added to Chapter 608 of NRS

Section 1. Chapter 608 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in this section, if an employer provides paid or unpaid sick leave for the use of his or her employees, the employer must allow an employee to use any accrued sick leave to assist a member of the immediate family of the employee who has an illness, injury, medical appointment or other authorized medical need to the same extent and under the same conditions that apply to the employee when taking such leave.
2. An employer may limit the amount of sick leave that an employee may use pursuant to subsection 1 to an amount which is equal to not less than the amount of sick leave that the employee accrues during a 6-month period.
3. The Labor Commissioner shall prepare a bulletin which clearly sets forth an explanation of the provisions of this section. The Labor Commissioner shall post the bulletin on the Internet website maintained by the Office of the Labor Commissioner and shall require each employer that provides sick leave to employees to post the bulletin in a conspicuous location in each workplace maintained by the employer. The bulletin may be included in any printed abstract posted by the employer pursuant to NRS 608.013.
4. The provisions of this section shall not be construed to: (a) Limit or abridge

any other rights, remedies or procedures available under the law; (b) Negate any other rights, remedies or procedures available to an aggrieved party; (c) Prohibit, preempt or discourage any contract or other agreement that provides a more generous sick leave benefit or paid time off benefit; or (d) Extend the maximum amount of leave to which an employee is entitled to take pursuant to the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et seq.

5. An employer shall not deny an employee the right to use accrued sick leave in accordance with the provisions of this section or retaliate against an employee for attempting to prosecute a violation of this section or for exercising any rights afforded by this section.
6. The provisions of this section do not apply: (a) To the extent prohibited by federal law; or (b) With regard to an employee of the employer if the employee is covered under a valid collective bargaining agreement.
7. As used in this section, "immediate family" means: (a) The child, foster child, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent of an employee; or (b) Any person for whom the employee is the legal guardian.

## REQUIRED POSTING – SENATE BILL 209

<https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7670/Text#> Effective Immediately as set forth in Senate Bill 209 passed during the 2021 Legislative Session.

Nevada Revised Statutes (NRS) section 608.0197 is hereby amended and a new section is added to Chapter 608 as follows:

### AMENDED SECTION 608.0197 SUBSECTION 2(b):

2. (b) An employer shall allow an employee to use paid leave for any use, including, without limitation:
  - (1) Treatment of a mental or physical illness, injury, or health condition.
  - (2) Receiving a medical diagnosis or medical care.
  - (3) Receiving or participating in preventative care.
  - (4) Participating in caregiving; or
  - (5) Addressing other personal needs related to the health of the employee.

### NEW SECTION CHAPTER 608 OF NRS:

1. Except as otherwise provided in subsections 6 and 10, in addition to the paid leave provided pursuant to NRS 608.0197, every employer in private employment shall provide 2 or 4 hours, as determined pursuant to subsection 2 of paid leave to each employee for the purpose of the employee receiving a vaccination for COVID-19.
2. If an employee is to receive a vaccination for COVID-19 and the vaccination requires:(a) Only one dose, the employee may take 2 consecutive hours of paid leave to receive the vaccination for COVID-19. (b) Two separate doses that are administered on two separate occasions, the employee may take 2 consecutive hours of paid leave per absence for a total of 4 hours of paid leave.
3. An employee shall, at least 12 hours before using paid leave provided to the employee pursuant to this section, give notice to his or her employer that the employee intends to use the paid leave.
4. An employer, and any agent, representative, supervisory employee or other person acting on behalf of or under the authority of the employer, shall not:(a) Deny an employee the right to use the paid leave provided to the employee pursuant to this section;(b) Require an employee to find a replacement worker as a condition of using the paid leave provided to the employee pursuant to this section; or (c) Retaliate or take any adverse action against an employee for using the paid leave provided to the employee pursuant to this section. Such prohibited retaliation includes, without limitation:(1) Discharging or firing the employee;(2) Penalizing the employee

in any fashion; and (3) Deducting the paid leave provided to the employee pursuant to this section from the salary or wages of the employee.

5. Any paid leave provided to an employee pursuant to this section must not be used in calculating the number of hours for which an employee is entitled to be compensated for overtime.
6. This section does not apply to an employer who provides a clinic on the premises of the employer where an employee may receive a vaccination for COVID-19 during the regular hours of work of the employee.
7. The Labor Commissioner shall prepare a bulletin which clearly sets forth the benefits created by this section. The Labor Commissioner shall post the bulletin on the Internet website maintained by the Office of Labor Commissioner, if any, and shall require all employers to post the bulletin in a conspicuous location in each workplace maintained by the employer. The bulletin may be included in any printed abstract posted by the employer pursuant to NRS 608.013.
8. An employer shall maintain a record of the receipt or accrual and use of paid leave pursuant to this section for each employee for a 1-year period following the entry of such information in the record and, upon request, shall make those records available for inspection by the Labor Commissioner.
9. The provisions of this section do not:(a) Limit or abridge any other rights, remedies, or procedures available under the law. (b) Negate any other rights, remedies, or procedures available to an aggrieved party. (c) Prohibit, preempt, or discourage any contract or other agreement that provides a more generous paid leave benefit or paid time off benefit.
10. For the first 2 years of operation, an employer is not required to comply with the provisions of this section.
11. As used in this section:(a) "COVID-19" means:(1) The novel coronavirus identified as SARS-CoV-2; (2) Any mutation or variant of the novel coronavirus identified as SARS-CoV-2; or (3) A disease or health condition caused by the novel coronavirus identified as SARS-CoV-2. (b) "Employer" means a private employer who has 50 or more employees in private employment in this State.

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# EMPLOYEE LEAVE & CAREER ENHANCE PROGRAM (CONTINUED)

**REQUIRED POSTING – ASSEMBLY BILL 307 Effective July 1, 2022 as set forth in Assembly Bill (AB) 307 passed during the 2021 Legislative Session, Nevada Revised Statutes (NRS) section 232 is hereby amended with a new section as follows:**

**Assembly Bill 307 - <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7811/Text>** Chapter 232 of NRS is hereby amended by adding thereto a new section to read as follows: 1. The Department (Department of Employment, Training and Rehabilitation; DETR) shall prepare one or more notices concerning job training or employment programs conducted by the Department, including, without limitation, the Career Enhancement Program and EmployNV Business/Career Hubs and provide each such notice to the Labor Commissioner. Within 30 days following the end of each calendar quarter (October 1, January 1, April 1, and July 1), DETR will transmit to the Labor Commissioner an updated notice on the following job training and employment programs. This Notice fulfills DETR's April 1, 2024 required reporting:

## **Employment and Training Programs**

**Career Enhancement Program (CEP)** - [https://detr.nv.gov/Page/Career\\_Enhancement\\_Program\\_\(CEP\)](https://detr.nv.gov/Page/Career_Enhancement_Program_(CEP))

**EmployNV Business/Career Hubs** - <https://employnv.gov>

**Employment Services** - <https://employnv.gov>

**Veterans Employment Services** - [https://detr.nv.gov/Page/Veteran\\_Services](https://detr.nv.gov/Page/Veteran_Services)

**Migrant Seasonal Farm Workers (MSFW)** - <https://www.employnv.gov/vosnet/gsipub/documentview.aspx?enc=s0YLzx Cf++EmSyM ZiXZH1A==>

**Eligible Training Provider List (ETPL)** - <https://www.employnv.gov/vosnet/guest.aspx?guesttype=IND&whereto=ETPLPROGRAMS>

▪ **Nevadaworks** (northern Nevada) - <http://nevadaworks.com/service-providers/>

▪ **Workforce Connections** (southern Nevada) - <https://nvworkforceconnections.org/system-partners/eligible-training-provider-list-etpl/>

**Nevada Labor Market Information** - <https://nevadaworkforce.com/>

## **Business Services**

**Job Order Posting** - <https://employnv.gov>

**Foreign Labor Certification (FLC)** - [https://detr.nv.gov/Page/H-2B\\_Online\\_Job\\_Order\\_Form](https://detr.nv.gov/Page/H-2B_Online_Job_Order_Form)

**Silver State Works (SSW)** - <http://employnv.gov/vosnet/gsipub/documentview.aspx?enc=+Xn98+WQY9h4nikSv1SOag==>

**Rapid Response** - [https://detr.nv.gov/Page/Employment\\_Security\\_Division\\_Rapid\\_Response](https://detr.nv.gov/Page/Employment_Security_Division_Rapid_Response)

**Work Opportunity Tax Credit (WOTC)** [https://detr.nv.gov/Page/Work\\_Opportunity\\_Tax\\_Credit](https://detr.nv.gov/Page/Work_Opportunity_Tax_Credit)

**Work Opportunity Tax Credit (WOTC)** - [https://nevadajobconnect.com/Page/Work\\_Opportunity\\_Tax\\_Credit](https://nevadajobconnect.com/Page/Work_Opportunity_Tax_Credit)

## **Other Employment and Training Services**

**Nevada Employment and Eligibility Assessment Initiative (REAnv)/Reemployment Services and Eligibility Assessment Program (RESEA)** - <https://www.dol.gov/agencies/eta/american-job-centers/RESEA>

**Trade Assistance Act (TAA)** - <https://www.dol.gov/agencies/eta/tradeact>

**Federal Bonding Program** - <https://bonds4jobs.com/>

**Vocational Rehabilitation** - [https://detr.nv.gov/Page/Rehabilitation\\_Division\\_Bureau\\_of\\_Vocational\\_Rehabilitation](https://detr.nv.gov/Page/Rehabilitation_Division_Bureau_of_Vocational_Rehabilitation)

**Short-term Training programs** - [https://www.employnv.gov/admin/gsipub/htmlarea/uploads/Short%20Term%20Training\\_NV\\_04142021.pdf](https://www.employnv.gov/admin/gsipub/htmlarea/uploads/Short%20Term%20Training_NV_04142021.pdf)

**Short-term Certificate programs** - <https://www.tmcc.edu/academics/certifications>

**Education and Training** - <https://www.employnv.gov/vosnet/Guest.aspx?action=indguest&guesttype=IND&whereto=LEARNING>

**Online Learning Resources** - <https://www.employnv.gov/vosnet/OnlineLearning/Resources.aspx>

**Nevada's Displaced Homemaker Program** - [https://detr.nv.gov/Page/Displaced\\_Homemakers\\_Program](https://detr.nv.gov/Page/Displaced_Homemakers_Program)

For additional services, resources and program details - register in **EmployNV** at: <https://www.employnv.gov/vosnet/loginintro.aspx>

Pursuant to the Stevens Amendment (<https://www.gao.gov/products/gao-19-282>), the employment services and training programs included in this Notice are supported by the Employment and Training Administration (ETA) and Veterans' Employment and Training Service of the U.S. Department of Labor; and the Rehabilitation Services Administration (RSA) of the U.S. Department of Labor. [Funding expenditures authorized by the Nevada Legislature, 81<sup>st</sup> Session (2021): **Senate Bill (S.B.) 459**]



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