

Senate Bill No. 319—Senators D. Harris, Spearman; Buck, Dondero
Loop, Goicoechea, Ohrenschall, Pazina and Scheible

Joint Sponsor: Assemblyman Yurek

CHAPTER.....

AN ACT relating to public employees; revising the definition of “employee” for purposes of collective bargaining for state employees to include category I, II and III peace officers who are in the unclassified service of the State; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law defines “employee” for purposes of collective bargaining with the Executive Department of the State Government to mean a person who is: (1) employed in the classified service of the State pursuant to chapter 284 of NRS; or (2) employed by the Nevada System of Higher Education in the classified service of the State or is required to be paid in accordance with the pay plan for the classified service of the State. (NRS 288.425) **Section 1** of this bill includes in the definition of “employee” persons who are employed as category I, II or III peace officers in the unclassified service of the State pursuant to chapter 284 of NRS.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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

Section 1. NRS 288.425 is hereby amended to read as follows:
288.425 1. “Employee” means a person who:

(a) Is employed in the classified service of the State pursuant to chapter 284 of NRS; ~~or~~

(b) *Is employed as a category I, II or III peace officer, as defined in NRS 289.460, 289.470 and 289.480, respectively, in the unclassified service of the State pursuant to chapter 284 of NRS;*
or

(c) Is employed by the Nevada System of Higher Education in the classified service of the State or is required to be paid in accordance with the pay plan for the classified service of the State.

2. The term does not include:

(a) A managerial employee whose primary function, as determined by the Board, is to administer and control the business of any agency, board, bureau, commission, department, division, elected officer or any other unit of the Executive Department and who is vested with discretion and independent judgment with regard to the general conduct and control of that agency, board, bureau, commission, department, division, elected officer or unit;



(b) An elected official or any person appointed to fill a vacancy in an elected office;

(c) A confidential employee;

(d) A temporary employee who is employed for a fixed period of 4 months or less;

(e) A commissioned officer or an enlisted member of the Nevada National Guard;

(f) Any person employed by the Nevada System of Higher Education who is not in the classified service of the State or required to be paid in accordance with the pay plan of the classified service of the State; or

(g) Any person employed by the Public Employees' Retirement System who is required to be paid in accordance with the pay plan of the classified service of the State.

