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For Immediate Release
June 12, 2007

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2007 Legislative Impacts on Nevada's Workforce

During the 2007 Legislative session, a number of bills passed or failed that directly affected Nevada's workforce. The outcome of the session included clarifications or streamlined some of the processes related to workforce administration and development, said Terry Johnson, director of the Department of Employment, Training & Rehabilitation (DETR).

"Overall this session yielded some positive results for Nevada workers," Johnson said. "Though some important measures didn't pass, critical dialogue was held in regard to the direction of Nevada's workforce."

Johnson said he was appreciative of the legislator's responsiveness to workforce issues. "As we go forward, our economy will only be as strong as our workforce," he said.

The following are some of the bills related to Nevada's workforce and their impacts.

AB-034 – Passed

This bill allows DETR's Employment Security Division to appoint appeals tribunals for unemployment insurance claimants from the Department of Administration, which would prevent a backlog in appeals. This would be most useful in case of mass layoffs, which would overload the unemployment insurance program, Johnson said. "It is important that we have measures in place should Nevada experience a crisis that would put a strain on the unemployment insurance processes," Johnson said. This bill simplified the hearings process, giving DETR more opportunities to quickly complete the appeals for claimants who have applied for unemployment insurance benefits," Johnson said.

SB-384 – Passed

This bill corrected an unintended consequence of the new minimum wage law. Under the new law, all workers with disabilities would have to be paid minimum wage, although the work that some are capable of doing may not warrant a higher wage. The law adversely affected community-based training centers that employ workers with disabilities. Under the bill that passed, individuals with disabilities that are employed by community-based training centers would be exempt from being considered employees, thus allowing employers an exemption from paying minimum wage to workers with disabilities if they are properly certified by the US Department of Labor.

“The bill increases training and employment opportunities for people with disabilities,” Johnson said. “If this bill had not passed, many rehabilitation centers would not be able to employ workers with disabilities, therefore, barring them from active participation in the workforce.”

SB-140 – Passed

This bill improved DETR’s Rehabilitation Division’s ability to facilitate Nevada’s State Use Program. This program allows government and public agencies to bypass the competitive bidding process and contract with community training centers for certain goods and services. The rehabilitation centers must employ workers with disabilities. The bill inserted the requirement to report of program information to the Rehabilitation Division into the purchasing chapters of the state statutes.

AB-494 – Did Not Pass

This bill would have allowed workers who were unemployed due to a lock-out to receive unemployment benefits. Currently, workers who go on strike or have been locked out by their employer are not eligible to receive unemployment insurance benefits.

“We were neutral on this bill,” Johnson said. “There are number of states that provide unemployment benefits to workers under such circumstances. We may see this measure return in 2009.”

AB-451 – Did Not Pass

This act was related to foreign nationals, prohibiting non-citizens of U.S. from receiving state benefits. Even without this bill, state law already prohibits illegal immigrants from receiving unemployment benefits. Other services that DETR divisions provide include vocational rehabilitation services, and investigations of claims of discrimination. Individuals are asked a series of questions to determine if they are authorized to work in the United States.

SB-351 – Did Not Pass

This bill would have promoted workforce and education initiatives by creating industry sector councils. While the bill did not pass, the Governor's Workforce Investment Board may consider moving forward with the concept at its July 18th meeting. Sector councils identify barriers to employment and job growth by industry and then develop strategies for overcoming these barriers. It is likely that sector councils in Nevada would include nursing, construction, gaming and renewable energy. Ultimately, the activities of sector councils help employers and workers by creating solutions that are tailored to a sector's needs.



DETR is comprised of the Employment Security Division, Equal Rights Commission, Rehabilitation Division, the Information Development and Processing Division and the Research and Analysis Bureau.

DETR works in partnership with the Nevada JobConnect System to connect businesses and workers.