
ASSEMBLY BILL NO. 276—ASSEMBLYMEN SPIEGEL, JOINER, DIAZ;
BILBRAY-AXELROD, CARLTON, COHEN, MILLER, SWANK
AND THOMPSON

MARCH 10, 2017

JOINT SPONSORS: SENATORS PARKS; AND MANENDO

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to employment practices.
(BDR 53-289)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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; prohibiting an employer,
employment agency or labor organization from
discriminating against certain persons for inquiring about,
discussing or disclosing information about wages under
certain circumstances; and providing other matters
properly relating thereto.

Legislative Counsel's Digest:

1 Existing law establishes certain employment practices as unlawful and prohibits
2 employers, employment agencies and labor organizations from engaging in such
3 practices. (NRS 613.330) This bill prohibits an employer, employment agency or
4 labor organization from discriminating against a person with respect to employment
5 or membership, as applicable, for inquiring about, discussing or disclosing
6 information about wages. This provision does not apply to any person who has
7 access to information about the wages of other persons as part of his or her essential
8 job functions and discloses the information to a person who does not have access to
9 that information.



* A B 2 7 6 *

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

- 1 **Section 1.** NRS 613.330 is hereby amended to read as follows:
2 613.330 1. Except as otherwise provided in NRS 613.350, it
3 is an unlawful employment practice for an employer:
4 (a) To fail or refuse to hire or to discharge any person, or
5 otherwise to discriminate against any person with respect to the
6 person's compensation, terms, conditions or privileges of
7 employment, because of his or her race, color, religion, sex, sexual
8 orientation, gender identity or expression, age, disability or national
9 origin; ~~to~~
10 (b) To limit, segregate or classify an employee in a way which
11 would deprive or tend to deprive the employee of employment
12 opportunities or otherwise adversely affect his or her status as an
13 employee, because of his or her race, color, religion, sex, sexual
14 orientation, gender identity or expression, age, disability or national
15 origin ~~to~~; or
16 (c) *Except as otherwise provided in subsection 7, to*
17 *discriminate against any employee because the employee has*
18 *inquired about, discussed or disclosed his or her wages or the*
19 *wages of another employee.*
20 2. It is an unlawful employment practice for an employment
21 agency : ~~to~~
22 (a) ~~Fail~~ *To fail* or refuse to refer for employment, or otherwise
23 to discriminate against, any person because of the race, color,
24 religion, sex, sexual orientation, gender identity or expression, age,
25 disability or national origin of that person; ~~to~~
26 (b) ~~Classify~~ *To classify* or refer for employment any person on
27 the basis of the race, color, religion, sex, sexual orientation, gender
28 identity or expression, age, disability or national origin of that
29 person ~~to~~; or
30 (c) *Except as otherwise provided in subsection 7, to*
31 *discriminate against any person because the person has inquired*
32 *about, discussed or disclosed his or her wages or the wages of*
33 *another person.*
34 3. It is an unlawful employment practice for a labor
35 organization:
36 (a) To exclude or to expel from its membership, or otherwise to
37 discriminate against, any person because of his or her race, color,
38 religion, sex, sexual orientation, gender identity or expression, age,
39 disability or national origin;
40 (b) To limit, segregate or classify its membership, or to classify
41 or fail or refuse to refer for employment any person, in any way
42 which would deprive or tend to deprive the person of employment



1 opportunities, or would limit the person's employment opportunities
2 or otherwise adversely affect the person's status as an employee or
3 as an applicant for employment, because of his or her race, color,
4 religion, sex, sexual orientation, gender identity or expression, age,
5 disability or national origin; ~~to~~

6 (c) *Except as otherwise provided in subsection 7, to*
7 *discriminate or take any other action prohibited by this section*
8 *against any member thereof or any applicant for membership*
9 *because the member or applicant has inquired about, discussed or*
10 *disclosed his or her wages or the wages of another member or*
11 *applicant; or*

12 (d) To cause or attempt to cause an employer to discriminate
13 against any person in violation of this section.

14 4. It is an unlawful employment practice for any employer,
15 labor organization or joint labor-management committee controlling
16 apprenticeship or other training or retraining, including, without
17 limitation, on-the-job training programs, to discriminate against any
18 person because of his or her race, color, religion, sex, sexual
19 orientation, gender identity or expression, age, disability or national
20 origin in admission to, or employment in, any program established
21 to provide apprenticeship or other training.

22 5. Except as otherwise provided in subsection 6, it is an
23 unlawful employment practice for any employer, employment
24 agency, labor organization or joint labor-management committee to
25 discriminate against a person with a disability by interfering,
26 directly or indirectly, with the use of an aid or appliance, including,
27 without limitation, a service animal, by such a person.

28 6. It is an unlawful employment practice for an employer,
29 directly or indirectly, to refuse to permit an employee with a
30 disability to keep the employee's service animal with him or her at
31 all times in his or her place of employment, except that an employer
32 may refuse to permit an employee to keep a service animal that is a
33 miniature horse with him or her if the employer determines that it is
34 not reasonable to comply, using the assessment factors set forth in
35 28 C.F.R. § 36.302.

36 7. *The provisions of paragraph (c) of subsection 1, paragraph*
37 *(c) of subsection 2 and paragraph (c) of subsection 3, as*
38 *applicable, do not apply to any person who has access to*
39 *information about the wages of other persons as part of his or her*
40 *essential job functions and discloses that information to a person*
41 *who does not have access to that information unless the disclosure*
42 *is in response to a charge, complaint or investigation for a*
43 *violation of this section.*

44 8. As used in this section, "service animal" has the meaning
45 ascribed to it in NRS 426.097.



1 **Sec. 2.** This act becomes effective on July 1, 2017.

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