

The Nevada Unemployment Compensation Law has been amended

Electronic communications. Existing law requires various notices or other documents or communications relating to unemployment insurance to be mailed to or served upon persons. Section 2 of S. 3 authorizes the Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation or the Division to provide such documents or communications electronically to a person who has requested to receive such documents or communications electronically. Section 2 additionally provides that an electronic communication does not satisfy or relieve the Administrator or Division from a requirement of federal or state law to provide a document or communication in the manner required by the applicable law.

Less than full-time work. Existing law generally deems a person to be unemployed, and therefore eligible for unemployment benefits, in any week during which the person: (1) performs no services and receives no remuneration for services; or (2) performs less than full-time work, but is paid remuneration that is less than the amount the person would otherwise receive in unemployment benefits. Section 4 of S. 3 expands the eligibility for a person who performs less than full-time work to be deemed to be unemployed to include persons who are paid remuneration that is less than one and one-half times the amount the person would otherwise receive in unemployment benefits.

Suspension, amendment or waiver of law provisions. Section 5 of this bill authorizes the Administrator, by regulation and to the extent allowed by federal law, to suspend, modify, amend or waive any provision of the Unemployment Compensation Law for the duration of a state of emergency or declaration of disaster and for any additional period of time during which the emergency or disaster directly affects the requirements of the Unemployment Compensation Law if the Administrator makes certain determinations and the action is approved by the Governor.

Suspension, amendment or waiver of contribution rate provisions. Sections 12 and 13 of S. 3 provide, for the purpose of compliance with federal law, similar authority for the Administrator, by regulation and to the extent allowed by federal law, to suspend, modify, amend or waive specific provisions of the Unemployment Compensation Law relating to rates of contribution for employers and charging of benefits to the account of an employer.

Additional money to states. The Families First Coronavirus Response Act, Pub. L. No. 116-127, provides for additional money being made available to states for their unemployment compensation programs. To qualify for the additional money, certain provisions must be included in state law. Sections 6 and 7 of S. 3 temporarily revise the definition of an "on" indicator for the purposes of extended unemployment benefits and revise the total extended benefit amount a person may receive in a benefit year during periods of high unemployment, which will allow Nevada to qualify for additional money under the Families First Coronavirus Response Act. Section 7 also requires the Governor to determine whether any subsequent federal law similarly provides for additional money to be made available to the states for their unemployment compensation programs and to issue a proclamation to that effect, and the

revisions in sections 6 and 7 become effective for the period of time identified in the proclamation by the Governor.

Disqualification from benefits, waiver or modification of period. Existing law prohibits a person from receiving unemployment benefits for a week in which the claimant received certain payments, including, without limitation, severance pay or vacation pay. Sections 8-10 of S. 3 authorize the Administrator, by regulation, to waive or modify the period in which a person is disqualified from benefits for receiving certain payments for good cause or upon the making of certain determinations.

Section 17.5 applies the amendatory provisions of sections 8 and 9 retroactively to any week of unemployment ending on or after May 28, 2020, and authorizes a regulation adopted pursuant to sections 8 and 9 to apply retroactively to such weeks of unemployment.

Filings. Section 11 of S. 3 requires certain filings relating to judicial review of a decision by the Board of Review to be served or filed within a certain period of time.

Suitable work. Existing law requires a person to be disqualified from receiving unemployment benefits if the Administrator determines the person has failed to apply for or accept suitable work without good cause. Section 15 of S. 3 requires the Administrator to establish, by regulation, justifications related to the outbreak of the disease identified by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services as COVID-19 that constitute good cause for a person to refuse suitable work. Section 17.5 applies the provisions of section 15 retroactively to any week of unemployment ending on or after May 28, 2020, and authorizes a regulation adopted pursuant to section 15 to apply retroactively to such weeks of unemployment.