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OFFICE OF THE LABOR COMMISSIONER

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Effective January 1, 2020, as set forth in Assembly Bill (AB) 132 passed during the 2019 Legislative Session, Nevada Revised Statutes (NRS) section 613 is hereby amended with a new section as follows:

Assembly Bill 132

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6191/Text>

Chapter 613 of NRS is hereby amended by adding thereto a new section to read as follows:

1. It is unlawful for any employer in this State to fail or refuse to hire a prospective employee because the prospective employee submitted to a screening test and the results of the screening test indicate the presence of marijuana.
2. The provisions of subsection 1 do not apply if the prospective employee is applying for a position:
(a) As a firefighter, as defined in NRS 450B.071; (b) As an emergency medical technician, as defined in NRS 450B.065; (c) That requires an employee to operate a motor vehicle and for which federal or state law requires the employee to submit to screening tests; or (d) That, in the determination of the employer, could adversely affect the safety of others.
3. If an employer requires an employee to submit to a screening test within the first 30 days of employment, the employee shall have the right to submit to an additional screening test, at his or her own expense, to rebut the results of the initial screening test. The employer shall accept and give appropriate consideration to the results of such a screening test.
4. The provisions of this section do not apply: (a) To the extent that they are inconsistent or otherwise in conflict with the provisions of an employment contract or collective bargaining agreement. (b) To the extent that they are inconsistent or otherwise in conflict with the provisions of federal law. (c) To a position of employment funded by a federal grant.
5. As used in this section, "screening test" means a test of a person's blood, urine, hair or saliva to detect the general presence of a controlled substance or any other drug.

Claims/Complaints for failure to pay wages or other general employment complaints can be filed online on the Office of the Labor Commissioner website at www.labor.nv.gov or by using the following link: http://labor.nv.gov/About/Forms/FORMS_FOR_EMPLOYEES/

Copies of this notice, additional information, and statutes and regulations may be obtained from our website at: www.labor.nv.gov or by contacting the addresses and phone numbers listed above.

**This document is for posting and information purposes and should not be considered legal advice. Please refer to AB 132 and NRS section 613. (Rev 12/19)*