Assembly Commerce and Labor Committee
Committee Manager
Chair Assemblymember Marozla

To Whom It May Concern:

On behalf of the Nevada Self-Insurers Association, I am writing to formally oppose Assembly Bill 200, which is currently under consideration. While the bill aims to revise provisions relating to industrial insurance, I believe it poses significant risks to the rights and protections of injured workers in our state.

Key Concerns:

1. Compensation Based on Prevailing Wage: The bill requires that compensation for injured construction workers be based on the greater of the worker's average monthly wage or average monthly prevailing wage. This method may not accurately reflect the real earnings of workers, particularly those who have inconsistent work hours or are employed in fluctuating wage environments. Also, the provisions governing prevailing wage were enacted for the purpose of public works contracts, and do not necessarily translate well into the Nevada Industrial Insurance Act.

2. Historical Wage Calculation: The proposed method for calculating the average monthly prevailing wage relies on historical data, which may not be representative of current market conditions. This could disadvantage workers who are recently employed or who have experienced wage increases, ultimately leading to inadequate compensation.

3. Lump-Sum Payment Provisions: The revisions regarding lump-sum payments for permanent partial disabilities could create a disincentive for thorough evaluations of long-term needs. Workers may be pressured into accepting settlements that do not fully account for their ongoing medical or rehabilitation costs.

4. Recalculation Procedures: The bill allows for the recalculation of wages based on various circumstances, which could complicate the claims process. Workers should not have to navigate additional regulatory layers that could delay their access to necessary benefits and care during recovery.

5. Lack of Support for Vulnerable Workers: The current language does not sufficiently address the needs of vulnerable populations within the workforce, including those in low-wage positions or temporary work arrangements. These workers may be disproportionately affected by the proposed changes and could find themselves with inadequate protections.

6. Inadequate Response to Previous Disputes: The bill's provisions surrounding the inability to challenge average monthly wages after a claim is closed could lead to instances of injustice,

where workers are left without recourse to correct miscalculations that impact their compensation.

Based upon these concerns, I urge the Committee to oppose and reconsider the implications of Assembly Bill No. 200 on the workforce in Nevada, and to prioritize the protection and fair treatment of injured workers. It is essential that we ensure the integrity and availability of a workers' compensation system that adequately protects the interests of all residents of this State.

Sincerely,

Jaron Hildebrand
Nevada Self-Insurers Association