

# RETAILERS HOLD OUR COMMUNITY TOGETHER

*By Bryan Wachter*

**N** O ONE COULD EVER HAVE PREDICTED AN INTERNATIONAL pandemic and the stresses it would put on our retailers and supply chain, but Nevada retailers have shown they are what holds our community together in times of strength and times of struggle. Through all of this, Nevada's retailers kept our supply chain secure and have arguably done the impossible for Nevadans.

In the days that followed the initial outbreak, our retailers got creative and rewrote the playbook. Hours were adjusted to make sure stores were cleaned and stocked, designated times were created for seniors and other at-risk customers to shop with reduced crowds, and pickup and delivery services were put to the ultimate test. Restaurants practically overnight converted dine-in to exclusively take-out, allowing customers some escape from their new homebound reality.

None of this would have been possible without a supply chain that never stopped working. Some products ran short, but there was always food on the shelves. From

day-one our retailers worked to keep products flowing, even when it wasn't easy or always perfect, but customers could find enough of the essentials to get through. Retail partners, including the Nevada trucking industry, went into overdrive to keep trucks on the road and supplies moving across the state and country.

Finally, there were the retailers who made the hardest decision to close their doors to prevent the spread. These retailers have been forced to put their incomes and their businesses at risk to keep the community safe. Some of these businesses found ways to work from home without contact with customers, but many have not. These businesses are true heroes of this outbreak and will need us the most when their doors can open again.

It's been far from perfect, but one thing is clear: our retailers are what have held our communities together during the hardest time imaginable. They have welcomed new employees when others could not, and they have kept food on our tables when they could have been home with their own families.

Our Nevada retailers

have handled the COVID-19 outbreak with grace and dignity as many have seen their shelves emptied and others have closed their doors to help stop the spread. We may have more days and weeks of quarantine and isolation ahead, but when this is over, it will be our turn to stand with our retailers to help them recover. In the meantime, look for ways you can support our retailers from afar, even if that is just a kind word and a list of all the businesses you're going to visit as soon as their doors reopen. ■

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# COVID-19 RECOMMENDATIONS FOR RETAIL

By Dr. Traci Biondi, Medical Director, Prominence Health Plan

## Prominence<sup>®</sup> Health Plan

### RECENT UPDATES ON COVID-19 AND HEIGHTENED

recommendations from the Centers for Disease Control and Prevention and the World Health Organization indicate that an outbreak of COVID-19 has and will continue to affect the workplace. Employees may not come to work for fear of possible exposure. They may have difficulty maintaining their regular work schedule when day care/childcare centers and schools close or if they are caring for sick family members.

In the midst of this pandemic, consumers have also shown a change in their patterns. They are utilizing drive-through and delivery services in the interest of social distancing and in an effort to minimize contact with other people. It is important for employers and retailers to do their part to reduce the risk of exposure and make the workplace as safe as possible for everyone.

#### FIRST, BE PREPARED.

This is an evolving situation and the

recommendations will change over time as more information becomes available. Keep up with the guidance and recommendations from the CDC. <https://www.cdc.gov/coronavirus/2019-nCoV/index.html>

#### CREATE A PLAN TO ADDRESS THE LEVEL OF RISK FOR YOUR EMPLOYEES.

A retail employee's potential exposure to this virus includes interactions with customers, coworkers, and vendors. This could mean possible exposure to sick individuals, international travelers who have visited locations of widespread transmission or unprotected/unknown exposure to people known to have or suspected to have COVID-19. There is also non-work-related risk of exposure at home and in the community. If your employees include older adults with chronic medical conditions, this could increase their risk of serious illness.

#### REDUCE EXPOSURE.

In an effort to help reduce

exposure by social distancing (approximately 6 feet) from other people and in order to make your workplace as safe as possible, consider your options for conducting essential operations with a reduced workforce. Other options to consider include temporarily downsizing operations and staggering work shifts and/or offering remote or delivery services, if applicable. Explore the possibility of telecommuting and cancel in-person work-related meetings, events and non-essential business travel. Discourage the shared use of phones, desks or equipment when possible.

#### BASIC INFECTION PREVENTION MEASURES MATTER.

Promote frequent hand washing with soap and water and provide employees and customers a place to wash their hands. Provide alcohol-based hand sanitizer if soap and water are not immediately available. Tell employees to stay home if they are sick and call their healthcare provider. Remind employees to cover their



Dr. Traci Biondi

mouth and nose with a tissue when they cough or sneeze and provide easily accessible trash receptacles. Increase the frequency of routine cleaning and disinfecting of surfaces and workplace equipment.

#### HOW TO IDENTIFY, ISOLATE AND RESPOND TO EMPLOYEES AND WORKERS WHO ARE POTENTIALLY INFECTIOUS.

Employees should be encouraged to self-monitor for fever (either subjective or measured), cough and difficulty breathing. If they develop these symptoms they should self-isolate and stay in a location

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# RETAIL HEROES

By Andy Peterson

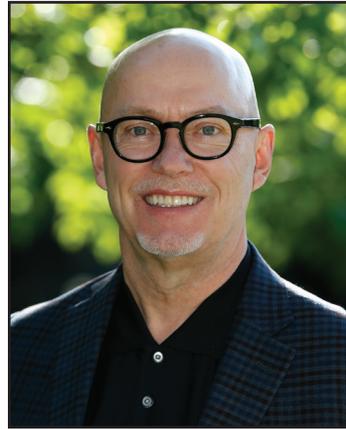
## AMERICA HAS FOR SOME TIME HONORED ITS MILITARY

members; police, fire fighters, and first responders. In our collective consciousness they are heroes. Witness the language used in television commercials, news stories, and at public events. Announcers at sporting events weave the term “hero” into their language when describing members of the military. Surely, police, fire fighters, and first responders also rise to that level. We are all grateful that they rush

toward danger when we rush away from danger. I’m reminded of the profound respect I felt when watching the funeral procession of young police officer killed in the line of duty, and we all have seen a military funeral and know the feelings it evokes in us. We are all grateful there are those who put the collective good of others first – they are American heroes.

However, there are others we should honor. These include school teachers, health care workers, and retail workers.

Teachers are long



Andy Peterson

overdue – without them we could not participate in today’s knowledge-based economy. Healthcare workers, as we now see in the current coronavirus crisis, should also be honored. These workers include nursing assistants,

nurses, and doctors. Every day they face danger when taking care of patients. Today that risk is magnified. Without their first line of defense we assuredly would have a far worse pandemic outcome.

However, recently we have been reminded that in this pandemic crisis, we should be grateful to the men and women who work in the retail industry. These workers include everyone who helps deliver goods, stock shelves, answer questions, and check us out as leave the store. As we witnessed during the rush to stock

*Continued on page 11*

## COVID-19 RECOMMENDATIONS *Continued from page 2*

away from others to prevent transmission. If your employee or worker believes they are experiencing symptoms compatible with COVID-19 such as cough, fever and difficulty breathing either when they arrive at work or if they become sick during the day, they should be sent home immediately and advised to contact their healthcare provider via telephone. Employees who feel well but have a sick family member at home should refer to

the CDC for guidance on how to conduct a risk assessment of their potential exposure. <https://www.cdc.gov/coronavirus/2019-ncov/php/risk-assessment.html>

If an employee is confirmed to have COVID-19, fellow employees should be informed of their possible exposure in the workplace but confidentiality must be maintained.

If an employee or worker has recently

travelled they should follow the CDC’s guidance. <https://wwwnc.cdc.gov/travel>

### COMMUNICATE WITH YOUR EMPLOYEES AND STAFF.

Employees should be made aware of sick leave policies. These policies should remain flexible and consistent with public health guidelines. Consider including and communicating policies that allow employees to stay home to care for a

sick family member. It is important to recognize that employees will have concerns and questions about sick leave, pay and health/safety.

**Remember to work with insurance companies that provide employee health benefits and state and local health agencies in order to give accurate and up to date information about medical care and coverage for testing and treatment related to COVID-19. ■**



# NEVADA HEALTH RESPONSE COVID-19 RISK MITIGATION INITIATIVE

## “THE MOST EFFECTIVE COURSE OF ACTION

is for all Nevadans to stay home and for all nonessential businesses to temporarily close to the public for 30 days.”

**Governor Steve Sisolak,**  
March 17, 2020

This Nevada Health Response COVID-19 Risk Mitigation Initiative (Initiative), is issued as guidance following Governor Sisolak’s Tuesday, March 17, 2020 Press Conference, and pursuant to Governor Sisolak’s March 12, 2020 Declaration of Emergency, which cites Article 5, Section 1 of the Nevada Constitution declaring that the “supreme executive power of this State, shall be vested in a Chief Magistrate who shall be the Governor of the State of Nevada.”

The goal of this Initiative is to protect the health and safety of Nevadans by preventing people coming together unnecessarily, where people who have the infection can easily spread it to others. Ask yourself this question: “Where do people get within 6 feet of other individuals for an

extended period of time?” -- then avoid those areas.

As with all Initiative parameters related to the COVID-19 crisis, the Governor, the Nevada Health Response Center, and local and state health authorities will revisit this guidance on a regular basis to evaluate the continued public health needs and whether any elements need to be changed.

The immediate implementation of aggressive strategies to create social distance and decrease close contact of people, including limiting gatherings, has proven effective in prior pandemics at delaying rates of transmission and reducing death and illness. By decreasing the prevalence of disease across Nevada we will

- Reduce the number of Nevadans who contract COVID-19 before an effective treatment or vaccine is available.
- Protect those most likely to experience severe symptoms, such as older Nevadans and those with underlying chronic conditions.
- Preserve and protect our health care delivery system, including our health care workforce,

so they can care for the least healthy individuals in the community for any medical condition, not just COVID-19.

- Minimize the social and economic impacts of COVID-19 over the long run.

### SOCIAL DISTANCING GUIDELINES:

Nevadans must ensure that 6 feet of social distancing per person for non-household members is maintained at all times. Examples of activities to avoid:

- Group gatherings
- Sleepovers
- Concerts and theater outings
- Playdates
- Athletic events
- Visitors in your house
- Non-essential workers in your house
- Malls
- Workouts in gyms

### INITIATIVE PARAMETERS ON GATHERINGS:

All gatherings should be postponed or canceled. For purposes of this Initiative, a “gathering” is any event or convening that brings people together in a single room or single space at the same time – indoor or outdoor.

● When it comes to gatherings, the risk is based on the proximity between individuals and how they are interacting with one another. The risk does not disappear in small gatherings. It’s the social distancing that will make the difference.

● We still want you to experience the joy of weddings, but this is not the time to bring your friends together -- especially if this will require travel.

Consider postponing the celebration to a time when the risk is low or eliminated.

● For Nevadans making preparations to say goodbye to loved ones, please limit the attendance at funeral services.

Consider outdoor services where the risk of exposure is less than inside.

● While the Governor cannot and will not say that places of worship should be closed, he strongly urges our faith leaders to find ways to tend to your congregation without bringing them together in person.

### ESSENTIAL AND NON-ESSENTIAL SERVICES & SECTORS

Essential services and  
*Continued on next page*



# NEVADA HEALTH RESPONSE COVID-19 RISK MITIGATION INITIATIVE

(Continued from previous page)

sectors include, but are not limited to:

- Fire services, law enforcement agencies, emergency medical services & public safety agencies
- Healthcare services
- Businesses or organizations that provide food, shelter, or critical social services for disadvantaged populations
- Utilities as defined in NRS Chapter 704
- Trash collection
- Home repair services
- Auto repair services & trucking service centers
- Grocery stores, supermarkets, hardware stores, convenience & discount stores
- Pharmacies, healthcare operations, & biomedical facilities
- Post offices & shipping outlets
- Gas stations & truck stops
- Banks & financial institutions
- Veterinary clinics & pet stores
- Laundromats & dry cleaners
- Food processing
- Agriculture, livestock & feed mills
- Logistics & Supply

## CHAIN OPERATIONS:

- Warehousing,

storage, distribution, and supply-chain related operations

- Public transportation
- Essential stays in hotels, commercial lodging, dormitories, shelters, and homeless encampments
- Child care centers and daycares operating in accordance with requirements set forth by their licensing authorities and COVID-19 guidance

Although these businesses may remain open, the Nevada Health Response Center maintains that all employees and patrons employ strict social distancing practices.

In addition, businesses should:

- Remind employees of best hygiene practices, including washing their hands often with soap and water for at least 20 seconds.
- Increase the frequency of cleaning and sanitizing per CDC Environmental Cleaning and Disinfection guidance of all hard surfaces, including tables and countertops that are being utilized by employees and patrons during pickup/delivery

options.

Other businesses, including but not limited to legal services, business and management consulting, professional services and insurance services are encouraged to have employees work remotely or telecommute. If that is not possible, they should employ strict social distancing practices as set forth by the Nevada Health Response Center and the CDC.

Non-essential services and sectors include, but are not limited to:

- Entertainment & hospitality, including but not limited to strip clubs and brothels, casinos, concert venues, arenas, auditoriums, stadiums, large conference rooms, meeting halls, and cafeterias
- Recreation and athletic facilities, including but not limited to community and recreation centers, gyms, health clubs, fitness centers, yoga, barre and spin facilities
- Beauty and personal care services and facilities, including but not limited to barber shops, beauty, tanning, waxing hair salons, and nail salons and spas
- Retail facilities,

including shopping malls except for pharmacy or other health care facilities within retail operations. Retailers are encouraged to continue online operations with pickup and delivery.

## FOOD & BEVERAGE ESTABLISHMENTS GUIDANCE

The Governor directed all restaurants and bars to close their dine-in facilities to help stop the spread of COVID-19. Businesses that offer carry-out, delivery, and drive-through food and beverage service may continue to do so, but eating and drinking inside restaurants and bars is temporarily prohibited. These businesses offering carry-out, delivery, and drive-through food and beverage should employ strict social distancing protocol. Additional information is below:

- Charitable food distribution sites, including the meals being distributed to our students in wake of the school closings, along with grocery stores, should remain fully open and operational.
- Food services for healthcare facilities and other essential facilities should remain open. ■◆ 5



# Nevada Notes

## CITY OF RENO MANDATES BENCHMARKING OF ENERGY USE

The City of Reno now mandates certain commercial buildings to benchmark their energy use. According to the city's website, "Energy benchmarking is the process of measuring a building's energy use over time. Benchmarking will give owners the information they need to identify opportunities to cut energy waste and understand how their building performs relative to similar buildings.

To benchmark energy and water use, building owners and facilities managers will use the U.S. Environmental Protection Agency's ENERGY STAR Portfolio Manager, an online tool designed to measure and track energy and water consumption. The Portfolio Manager gathers basic property information, building details such as gross floor area, and energy and water usage data.

The city will produce a periodic report of compliant, high-performing buildings during the initial phase, and aims to produce a comprehensive report of compliant high and

low performing buildings in future years. The information will help to create effective market mechanisms, programs, and services that accelerate investments in energy efficiency. It will give building owners and facility managers more opportunities to explore options for improving performance."

To date energy improvements are voluntary. Lack of compliance in reporting the use of energy within private buildings is not voluntary.

For more information visit: <https://www.reno.gov/community/sustainability/energy-and-water-efficiency>

## GOVERNMENT AFFAIRS UPDATE

The Race to 1,991 Super Tuesday welcomed one of the largest upset victories in recent American politics as former Vice President Joe Biden rode a wave of momentum through the southern states and beyond. Branded as America's comeback kid, Biden has been declared the winner of ten states, including those with the second and third largest delegate prizes – Texas and North Carolina. He also

managed to claim victory in Massachusetts, the home state of opponent Sen. Elizabeth Warren, who finished third behind Vermont Sen. Bernie Sanders.

This momentum is accredited to the resounding support the Biden campaign has received since his victory in South Carolina, where Rep. Jim Clyburn displayed the immense power that endorsements play in the race to the White House.

Both former Mayor Pete Buttigieg and Minnesota Sen. Amy Klobuchar suspended their campaigns and joined early drop-out candidate Beto O'Rourke in his home state of Texas to host a rally for Biden.

The consolidation of moderate democratic candidates behind the former Vice President allowed him to push ahead in the Lonestar State where Sanders was expected to win handily.

In the wake of Super Tuesday, Mike Bloomberg has suspended his campaign and formally announced his endorsement of Joe Biden, and progressive candidate Elizabeth Warren announced that she will be "reassessing" her campaign in the following days.

Despite where all the candidates' cards have fallen, approximately 2/3 of the delegates still remain up for grabs. The once inundated Democratic candidate field has now been clearly narrowed to two front runners who will continue to battle for votes in the 32 remaining states.

## FILE BABY FILE

Nevada kicked off a two-week period Monday in which candidates who are seeking non-judicial seats must file paperwork to appear on the November ballot. Judicial candidates previously filed to run in January.

Numerous incumbents have filed to run for re-election, with a handful of them pulling either a primary or general contender – and, in some cases, both.

Notably, Democratic candidate Wendy Jauregui-Jackins, who ran last cycle for Washoe County Assessor and is the sister of Las Vegas Assemblywoman Sandra Jauregui, has filed to run against Republican Senator Heidi Gansert in Senate District 15. A Republican has held that district for several cycles, but the margin of Republican vs. Democrat registered voters

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# National Notes

## ONLINE GROCERY SHOPPING SPIKES ON CORONAVIRUS FEARS

It is no surprise that online grocery shopping has spiked as fears coronavirus have escalated.

In addition, stores across the country have seen a rush for household essentials and emergency supplies. Over the past thirty days, 21 percent of U.S. shoppers have bought perishable groceries online, NPD analyst David Portalatin told Marketwatch, up from 18 percent during the same period last year. That figure promises to grow as the virus spreads.

According to a survey by Coresight Research that polled more than 1,100 consumers late last month, 27 percent said they were avoiding public venues like shopping centers, and 58 percent said they would do this if the outbreak continued to spread.

*Grocery Dive*

## WALMART'S EMERGENCY CORONAVIRUS EMPLOYEE LEAVE PROGRAM

Walmart is deploying an emergency coronavirus leave program for its employees. The policy is designed to give

employees flexibility to stay home if they are not feeling well, and pay options and support if they are affected by the virus. The first part allows an employee to stay home if they feel uncomfortable. Secondly, if an employee is quarantined employees will receive up to two weeks off. Thirdly, if an employee contracts coronavirus he or she will be given up to two weeks off. If the two weeks are inadequate Walmart may grant more time. More information is available online at OneWalmart.

## SELF-CHECKOUT MACHINES

Shoppers and retailers alike are frustrated with self-checkout machines. Some machines, enabled with weight sensors, are especially challenging.

However, retailers are working to address the issue by moving to video monitoring to assure proper scanning, and theft reduction. Self-checkout is designed to minimize costs and allow retailers to move resources to online grocery and so forth.

All and still, theft remains a problem when self-checkouts are employed. This includes ticket switching prior to check out. A small number

of customers justify their thefts chalking them up to "restorative justice," a practice where the consumer justifies their theft as a means to right the "wrong business practices of a particular retailer."

Overall, video helps to reduce theft at self-checkouts and many consumers still prefer a cashier to a self-checkout.

*Wall Street Journal*

## WALMART E-COMMERCE MAKES INROADS WITH AFFLUENT GROCERY SHOPPERS

Walmart is making inroads with affluent shoppers through its curbside and same-day delivery. Many have never shopped at a Walmart and these shoppers are not reflected in its traditional shopper demographic. John Furner, president and chief executive officer of Walmart US, said the online services offer convenience that "aligns well with someone who is time-starved and has higher income levels."

*CNBC*

## FIVE TRENDS SHAPING U.S. GROCERY

In a new report, "Digital disruption at the grocery store," McKinsey outlines

five significant trends it sees as transforming the U.S. grocery sector. A summary of each trend follows.

1. Large grocery retailers have led the online grocery space. Many of these large grocers have been able to expand their bases without sacrificing their traditional shopper bases.

2. The winners in e-grocery are those who deliver the fastest, best, and consistent customer experience.

3. Scale matters. Unless there is a dense customer base it is hard to make the investments necessary for profitable delivery service. This will change over time as scale and more centralized fulfillment centers are established.

4. The economics improve with automation innovation. Technology and scale levels the playing field and helps justify the upfront costs.

5. The talent gap is trouble. Grocers should place an emphasis upon developing a clear digital strategy including making their digital strategies clear to millennials and paying market rates.

*Chain Store Age*



# ENERGY SCIENCE AND REALITY

By Ray Bacon, President, Nevada Manufacturers Association

**S**INCE THE BEGINNING OF THE INDUSTRIAL REVOLUTION, energy supplies, and their sources, have steadily evolved. A few global warming, climate change, and doomsday advocates have pushed back against fossil fuels castigating them as evil. In some cases, they make a good point, and in other cases they have used questionable science thereby diluting their arguments.

To that point environmental advocates pushed Senate Bill 354 in the 2019 legislative session. It passed, and its principle objective is to drive down future greenhouse gas emissions in our state and thereby reduce climate change in our world. The bill's effect will affect all Nevadans. Businesses will be affected through higher regulatory compliance costs, and citizens through higher costs of consumer costs at the gas pump, grocery store, and anywhere else they shop in Nevada. As stated already, the bill's intent is to "clean up" our air.

However, what is intended and what often times result are often two different things. First, you have to understand the facts. Emissions blamed for climate change are CO2, methane, NOX and so forth.

Nobody is arguing that reducing these kinds of emissions are bad. However, what may be harmful is a disproportional burden for emission reductions levied upon Nevadans. Currently, we emit a total of 0.68 percent of total U.S. emissions. This means Senate Bill 354 – if enacted via the rule making process – could therefore disproportionately burden Nevada. When looked at in this light any overreaction could have devastating consequences.

As Nevada strikes out to remediate climate change on its own accord, it is important to remember that when the Clean Air Act of 1992 was passed its intent was to reduce air pollution including

Senate Bill 354 does the same thing. It handicaps Nevada by forcing uncompetitive changes upon our economy that will have little impact upon the greater good.

It is also important to remember the Commerce Clause of the US Constitution effectively prohibits any state from taking actions that disrupt Commerce between states. Much of "our" air pollution is a function of emissions related to freight which crosses Nevada on planes, trains, and trucks when it is transported to and from the nation to western ports located in California. Disrupting this traffic, then, not only disrupts the ability of states to trade, but it could make Nevada a place to

factor is our modern lifestyle.

We create and use products that make our life easier and better. However, these come with a cost that most of us, including environmental advocates, are willing to pay. Few people that I have interacted would forgo electricity, transportation, heating and/or cooling, food security, or modern medicine. In all this, however, it is important to remember overall global emissions decreased in 2018.

Yes, emissions are still a challenge but math and science still matter. Some older sources of energy have been transitioning to newer sources. Be reminded our country has reduced its reliance on coal and now

leans more heavily on wind, solar, hydro, and natural gas. This does not mean that coal is obsolete or

***"Much of "our" air pollution is a function of emissions related to freight which crosses Nevada on planes, trains, and trucks when it is transported to and from the nation to western ports located in California"***

dust and smoke which was seemingly the culprit of degenerating vistas in our national parks and scenic areas.

Again, Nevada was ahead of the curve. Our rural areas and scenic vistas such as the Great Basin Park had some of the cleanest air in the western states. Unfortunately, the rules allowed for bad actors to claim credit for clean areas. As such, Nevada was the holdout state which opposed the Clean Air Act. Today,

avoid when doing business. Nevada needs to think these issues through and proceed cautiously.

Is the climate changing? Sure, it is, and it has been changing as surely as the weather has been changing. The main source of energy for this planet is the sun which science tells us is getting hotter and will be getting hotter for a long time in the future. Is mankind doing things which impact the changes? Sure, the biggest

that we don't need it. It does mean that when properly incentivized and researched we can find more efficient ways of producing energy that might be less carbon reliant.

Passing laws and regulations that are not properly thought out simply jeopardize the innovations the private sector can bring to the table. Nevada can and should do better than Senate Bill 345. ■



# DISTRICT COURT ELECTIONS IN NEVADA – LOTS OF CANDIDATES BUT LITTLE CANDIDATE INFORMATION

By Josh Hicks, Partner, McDonald Carano Law Firm



Government Affairs & Advocacy Group

## SINCE NEVADA BECAME A STATE IN 1864, THE NEVADA CONSTITUTION HAS

mandated the election of judges. All judges serve six-year terms. While elections for justices of the seven-justice Nevada Supreme Court and the three-judge Court of Appeals are staggered, the terms of all district court judges in Nevada are synchronized, and 2020 is the year in which Nevada voters will see their district court judicial candidates on the ballot.

Statewide, 179 district court candidates have filed for office. Voters in Clark County will be presented with 121 candidates for 58 departments, while voters in Washoe County will be presented with 20 candidates for 16 departments.

In Clark County, 19 of the departments do not have an incumbent as a candidate, either because the incumbent did not run or because the department is newly created. Judicial candidates are better known in smaller communities and consequently judicial

elections work well.

In larger counties, the sheer volume of candidates can be overwhelming for voters.

Consider some of these facts. In 1952, there were 101,248 registered voters and eleven district court judges in the entire state. As of February 2020, there are 1,314,101 registered voters just in Clark County, selecting 58 district court judges. The judicial ballot is getting very big in Nevada's more populated counties.

Nevada voters have previously rejected efforts to reform judicial elections by moving to judicial appointments with retention elections.

As recently as 2019, the Nevada Legislature failed to advance proposals to move towards the appointment of judges. Proponents of judicial election reform point to the outsize influence of money in judicial campaigns. Judicial candidates often must solicit campaign funds from the very lawyers who will argue cases in their court. Perhaps more importantly, money flows to independent expenditure

efforts that can receive and spend unlimited amounts to influence judicial elections. Regardless, judicial elections are part of the electoral landscape in Nevada for 2020. Keeping track of qualified judicial candidates is a difficult task, even for lawyers who regularly appear in the district courts.

On top of the sheer volume of candidates, judicial candidates are nonpartisan and cannot make any kind of commitment as to how they might rule on issues if elected to office. As a result, most voters are often left with only minimal information when deciding who to select to these important positions.

The Las-Vegas Review Journal surveys practicing attorneys on sitting judges in the year before judicial elections, and the Washoe County Bar Association does something similar. While these surveys can provide some useful trends and information, they are also subject to criticism as "popularity contests" among lawyers. Further, the surveys are only applicable to sitting judges, and there are no comparable



Josh Hicks is General Counsel for the Retail Association of Nevada

surveys of judicial candidates who might be challenging an incumbent or running for an open seat.

Business associations like RAN help play an important role in judicial elections by reviewing judicial candidates and providing information to membership to help navigate the judicial ballot, particularly in large counties where the number of candidates makes it challenging to obtain even basic information about the qualifications of individual candidates.

As the primary and general elections get closer, look for additional information from RAN on the state of play in judicial races. ■



## Important Information for SIG Members

*NRS requires all existing members of a self-insured group to be notified of all new members.  
NRNSIG new members are listed below.*

***710 Extract Inc dba Vistera***

***9th Island Automotive LLC***

***Absolute Circle of Care LLC dba Absolute Circle of Care – Ackerman***

***Evolution Art Inc.***

***Mortgage Professional Group Inc***

***Performance Industries LLC dba Las Vegas Shooting Center***

***Reno Escape dba Break Through RenoSolace Global LLC***

***Reno Escape dba Break Through Reno***

***Solace Global LLC***

**NRNSIG** members who wish to register a negative vote on a new group member, please write NRNSIG at 575 S. Saliman Road, Carson City, NV 89701, indicating which member and the reason(s) for the negative vote.



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**MEMBERSHIP INFORMATION:** Find out more about RAN's self insured group. Call Pro Group, **800-859-3177**,

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## NEVADA NOTES *Continued from page 6*

only continues to tighten.

The registered voter margin is very common in other races, such as Senate District 5 in the contest for the open seat vacated by term limited Joyce Woodhouse, and Senate District 6 in the race for the seat Senate Majority Leader Nicole Cannizzaro is attempting to keep hold of.

With Nevada’s primary taking place June 9th here is some helpful information:

### Judicial Primaries - District Court, Court of Appeals, Nevada Supreme Court

- If one candidate

files, there is no primary and the candidate is put directly onto the general election ballot

- If two candidates file, there is no primary and both candidates appear on the general election ballot

- If three or more candidates file, there is a primary and the top two advance to the general election, unless one candidate gets a majority of the votes cast. In that case, that candidate is the sole name on the general election ballot

### Non-Partisan Primaries

- If one candidate files, they appear on the primary ballot, and if they

receive one or more votes, they are declared elected and do not appear on the general election ballot

- If two candidates file, there is no primary and both candidates appear on the general election ballot

- If three or more candidates file, there is a primary and the top two advance to the general election, unless one candidate gets a majority of the votes cast. In that case, that candidate is declared elected and does not appear on the general election ballot

- Partisan Primaries for Major Political Parties

- If one candidate files, there is no primary

and the candidate is put directly onto the general election ballot

- If two candidates file, the top vote getter is the nominee of their respective party. If both candidates are from the same party and a member of another party does not file, the top vote getter is the sole name on the general election ballot
- If three or more candidates file, the top vote getter is the nominee of their respective party. If all candidates are from the same party and a member of another party does not file, the top vote getter is the sole name on the general election ballot.

## RETAIL HEROES *Continued from page 3*

up prior to possible quarantine, retail workers stayed by their posts as consumers vigorously deleted the stocks of food, cleaning supplies, and paper goods. These workers generally work for an hourly wage and will likely not be the ones who will eventually retire to a beachfront home. As a result, they should be commended for doing their jobs with grace and dignity, when, at times, they have been taken for granted.

I’m reminded of my favorite Smith’s store cashier. She is efficient, kind, funny, and invariably she thanks me by saying, “thanks hun...” You couldn’t ask for a nicer cashier. Through the thick and thin of the pandemic rush she seemingly didn’t miss a day and she never once was cross or forgot to call me “hun.”

I’m also reminded of the woman at Walmart who was in charge of handing out paper products; which assured

most customers got a proper supply. When I complimented her, she said it was nice to hear someone who appreciated her position. Evidently, there were few people who failed to notice she was fulfilling a difficult task in a rush to stockpile toilet paper.

It is a bit ironic that it takes a crisis to bring us together, or to remind us that everybody matters. I, for one, am now reminded of the important role retail workers play in our lives.

Some may say they don’t rise to the level of hero. Perhaps one could make that argument. I for one, couldn’t imagine what kind of pandemonium there would have been without the men and women of retail doing their jobs – in a time of crisis - as they have always done.

My appreciation surely isn’t enough. Next time you interact with a retail worker, be sure to say thank you for the difficult work they do on your behalf every day. ■



Retail Association of Nevada  
 410 South Minnesota Street  
 Carson City, Nevada 89703-4272

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## NEVADA NEWS

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Mary F. Lau  
 President/CEO

Bryan Wachter  
 Senior Vice President of  
 Public and Government Affairs

Elizabeth MacMenamin  
 Vice President of Government Affairs

Andy Peterson  
 Vice President of Government Affairs

Piper Brown  
 Director,  
 Finance and Administration

Andy Peterson  
 Editor

Sue Arzillo, Alphabet Soup Inc.  
 Newsletter Design & Layout

# CORONAVIRUS LEGISLATIVE UPDATE

*H.R. 6201 Families First Coronavirus Response Act (includes technical changes as passed by House 03/16/2020)*

## Overview Employer Paid Leave Requirements and Tax Credit Provisions

	Covered Employers	Duration of Leave	Qualifying Reasons for Leave	Required Wage Replacement	Applicability of: Division G – Tax Credits for Paid Sick and Paid Family and Medical Leave
<b>Division E – Emergency Paid Sick Leave</b>  Effective 15 days after enactment.  Expires 12/31/2020	<p><u>Private sector employers with fewer than 500 employees.</u></p> <p>Public sector employers with 1 or more employees.</p> <p>Good cause exemption for employers with fewer than 50 employees. Applies to reason #5 only. (DOL Rule)</p>	<p><u>Employer must provide 2 weeks</u> of paid sick leave for full-time covered employees.</p> <p>Special rule for part-time employees.</p>	<ol style="list-style-type: none"> <li>Employee is subject to a Federal, state or local quarantine related to COVID-19.</li> <li>Employee has been advised by a health care provider to self-quarantine.</li> <li>Employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.</li> <li>Employee is caring for an individual who is subject to quarantine pursuant to 1 and 2.</li> <li>To care for a child or children whose school or care provider is unavailable due to COVID-19.</li> <li>Employee is experiencing a similar condition as specified by HHS, DOL or Treasury.</li> </ol>	<p><u>Reasons #1-3:</u> Employee's regular rate of pay. Capped at \$511/day and \$5,110 total.</p> <p><u>Reasons #4-6:</u> 2/3 of employee's regular rate of pay. Capped at \$200/day and \$2,000 total.</p> <p>Special rule for part-time employees.</p>	<p>Private sector employers with fewer than 500 employees may obtain a credit for wage replacement:</p> <p><u>Employers receive 100% payroll tax credit (refundable as needed)</u> for required paid sick leave wages plus certain health care expenses of the employer.</p> <p>Special rule for self-employed.</p>
<b>Division C – Emergency Family and Medical Leave</b>  Effective 15 days after enactment.  Expires 12/31/2020	<p><u>Private sector employers with fewer than 500 employees.</u></p> <p>Good cause exemption for employers with fewer than 50 employees. (DOL rule)</p>	<p><u>Employer must provide 10 weeks</u> of paid family and medical leave for employees (employed for at least 30 days).</p> <p>Special rule for part-time employees.</p>	<p>Employee is unable to work (or telework) due to a need for leave to care for a son or daughter under 18 years of age if the school or place of care has been closed, or the child care provider is unavailable, due to a public health emergency.</p>	<p><u>Not less than 2/3 of regular rate of pay</u> based on # of hours scheduled to work. Capped at \$200/day and \$10,000 total.</p> <p>Special rule for part-time employees.</p>	<p>Private sector employers with fewer than 500 employees may obtain a credit for wage replacement:</p> <p><u>Employers receive 100% payroll tax credit (refundable as needed)</u> for required paid family and medical leave wages plus certain health care expenses of the employer.</p> <p>Special rule for self-employed.</p>