

1 STATE OF NEVADA  
2 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT  
3 RELATIONS BOARD

4 CLARK COUNTY, )  
5 Petitioner, )  
6 CLARK COUNTY DISTRICT ATTORNEY )  
7 INVESTIGATORS ASSOCIATION )  
8 (CCDAIA), )  
9 Applicant, and )  
10 NEVADA SERVICE EMPLOYEES )  
11 UNION/SEIU, LOCAL 1107, )  
12 Recognized Bargaining )  
13 Agent. )

ITEM NO. 356

CASE NO. A1-045585

ORDER

14 For Petitioner: Cheryl Miller,  
15 Director of Personnel

16 For Applicant: Ulrich W. Smith, Esq.

17 For Recognized  
18 Bargaining Agent: James Varga, Esq.  
19 VAN BOURG, WEINBERG, ROGER & ROSENFELD

20 In its meeting of June 21, 1995, noticed pursuant to  
21 Nevada's Open Meeting Law, the Board heard oral argument  
22 pursuant to the Board's Order of May 18, 1995, regarding the  
23 Application for Recognition filed by CCDAIA. Petitioner  
24 failed to appear as ordered and failed to retain a certified  
25 court reporter to take verbatim notes of the proceedings as  
26 instructed in the NOTICE OF ORAL ARGUMENT issued by the  
27 Board's Commissioner on May 31, 1995. The failure of  
28 Petitioner to comply with the Board's Order and instruction,  
issued pursuant to Petitioner's request for a hearing,  
effectively denied the Board and the other parties in this  
matter a verbatim record of the proceedings, as well as an

1 opportunity to determine the basis for Petitioner's objection  
2 to the Application for Recognition filed by CCDAIA.

3 In the absence of a court reporter, counsel for the  
4 Applicant (CCDAIA) and Recognized Bargaining Agent (Local  
5 1107) agreed to present their respective oral argument(s)  
6 without a verbatim record being taken of same.

7 Pursuant to due deliberation by the Board regarding the  
8 oral arguments advanced by counsel for CCDAIA and Local 1107,

9 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that within  
10 ninety (90) days from the date of Entry of this Order a  
11 hearing on the merits of the issues in this matter [including  
12 the issues raised by Local 1107 in its June 8, 1995, petition  
13 to Clark County "for recognition of a separate bargaining unit  
14 consisting of all Probation Officer I & II, (inclusive of  
15 detention staff), Bailiffs, Sheriff Civil Bureau  
16 Investigators, District Attorney Investigators and any and all  
17 other present bargaining unit employees with a similar  
18 community of interest"] shall be set by the Board at a time  
19 and place convenient to the Board and parties.

20 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the  
21 Petitioner (Clark County), as well as the Applicant (CCDAIA)  
22 and Recognized Bargaining Agent (Local 1107), shall have  
23 thirty (30) days from the date of Entry of this Order in which  
24 to file briefs with the Board addressing the following:

- 25 (1) The legal and factual bases supporting or  
26 refuting the respective bargaining units  
27 being proposed by the Applicant (CCDAIA)  
28 and Recognized Bargaining Agent (Local  
1107) for law enforcement employees of  
the County.

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- (2) The alleged community of interest or lack thereof between District Attorney Investigators and the other law enforcement employees who are currently within the bargaining unit represented by Local 1107.
  
- (3) The legal and factual basis supporting or refuting the right of Local 1107, vis-a-vis the right of CCDAIA, to represent District Attorney Investigators and/or law enforcement employees of the County.

After receipt of the aforementioned briefs, the Board will schedule a hearing on the merits of the issues involved in this matter.

DATED this 30<sup>th</sup> day of <sup>June</sup> ~~July~~, 1995.

LOCAL GOVERNMENT EMPLOYEE-  
MANAGEMENT RELATIONS BOARD

By *Salvatore C. Gugno*  
SALVATORE C. GUGINO, Chairman