

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

4 LAS VEGAS CONSTABLES ASSOCIATION, )  
5 Complainant, ) ITEM NO. 379  
6 vs. ) CASE NO. A1-045600  
7 LAS VEGAS CONSTABLE'S OFFICE ) ORDER  
8 Respondent. )

9 For Complainant: Leslie Mark Stovall, Esq.

10 For Respondent: Mitchell M. Cohen, Esq.  
11 CLARK COUNTY DISTRICT ATTORNEY'S OFFICE

12 On March 11, 1996, the Board received a Complaint and a  
13 Verified Motion for Injunctive Relief from the LAS VEGAS  
14 CONSTABLES ASSOCIATION, alleging that various unlawful and  
15 prohibited practices have been and are being committed by Las  
16 Vegas Constable Bob Nolan and asking the Board to enjoin "further  
17 retaliatory acts by Nolan or any other member of Clark County  
18 during the deputies organizational efforts or membership in the  
19 Las Vegas Constables Association pursuant to NRS 288.110 (2),  
20 288.140 (1), 288.271 (1)(a), 288.270 (1)(c) and 288.270 (d).".

21 On March 13, 1996, LAS VEGAS CONSTABLE'S OFFICE filed its  
22 Opposition to Verified Motion for Injunctive Relief, alleging, in  
23 pertinent part, that the Constable is not a Local Government  
24 Employer subject to NRS Chapter 288, therefore, the Board has no  
25 jurisdiction over the Constable or his deputies; injunctive  
26 relief is beyond the scope of the Board's authority; there is no  
27 basis for injunctive relief (there is no immediate and  
28 irreparable harm and there is no showing of a reasonable

1 probability of success on the merits) and the remedy requested is  
2 a vague and unwarranted interference in the operation of the  
3 constable's office.

4 On March 20, 1996, pursuant to a special meeting noticed  
5 pursuant to Nevada's Open Meeting Law, the Board heard oral  
6 argument regarding the aforesaid Verified Motion for Injunctive  
7 Relief. After due deliberation, the Board determined as follows:

- 8 1. The Board does have jurisdiction over the parties and  
9 the instant dispute, pursuant to the provisions of NRS  
10 Chapter 288.
- 11 2. The Las Vegas Constable's Office (Respondent) is a  
12 "Local government employer" as defined by the  
13 provisions of NRS 288.060.
- 14 3. The Deputies employed by the Las Vegas Constable's  
15 Office and/or members of the Las Vegas Constables  
16 Association, are "Local government employees" as  
17 defined by NRS 288.050.
- 18 4. The Local Government Employee-Management Relations  
19 Board has the authority, pursuant to NRS 288.110, to  
20 grant injunctive relief and/or temporary restraining  
21 orders.
- 22 5. That argument and/or evidence regarding the  
23 Complainant's request (or Motion) for injunctive relief  
24 will be heard and considered together with a hearing on  
25 the merits of the Complaint, to be conducted on  
26 Thursday, April 18, 1996.

27 / / /

28 / / /

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

6. That an expedited briefing schedule is established which will require the parties to file their respective Pre-Hearing Statements on or before April 11, 1996.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as set forth above.

DATED this 27<sup>th</sup> day of March, 1996.

LOCAL GOVERNMENT EMPLOYEE-  
MANAGEMENT RELATIONS BOARD

BY *Christopher W. Voisin*  
CHRISTOPHER W. VOISIN, Chairman

BY *Tamara E. Barengo*  
TAMARA BARENGO, Vice Chairman

BY *David Goldwater*  
DAVID GOLDWATER, Member