STATE OF NEVADA

LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT

RELATIONS BOARD

NEVADA SERVICE EMPLOYEES UNION, LOCAL 1107, SERVICE EMPLOYEES INTERNATIONAL UNION, AFL-CIO, Complainant,	**ITEM NO. 469**
vs.	**CASE NO. A1-045680**
UNIVERSITY MEDICAL CENTER, and COUNTY OF CLARK acting through its DEPARTMENT OF HUMAN RESOURCES, Respondents.	**ORDER**

For Complainant: James G. Varga, Esq.
Van Bourg, Weinberg, Roger & Rosenfeld

For Respondents: Diane Carr, Esq.
Alverson, Taylor, Mortensen, Nelson & Sanders

On or about March 21, 2000, a complaint was filed by the Nevada Service Employees Union, Local 1107, Service Employees International Union, AFL-CIO, (hereafter "Union"), through its counsel and representatives, alleging a unilateral change has occurred and that the University Medical Center and Clark County, Nevada, through its Dept. of Human Resources (hereafter collectively referred to as "UMC") has discontinued its past practices of awarding pay increases to physicians when such increases have been awarded to other employees, including registered nurses. A response was filed by UMC on April 10, 2000.

Thereafter, on May 2, 2000, a motion to dismiss was filed alleging the events occurred in excess of six (6) months prior to the filing of the complaint. The Union's opposition was filed on May 30, 2000.

On May 16, 2000, UMC also filed its motion to strike the complainant's prehearing statement as being untimely. The Union's opposition was filed on May 30, 2000.

This matter was scheduled for deliberations pursuant to the Nevada Open Meeting Law and the Board conducted such deliberations on the 31st day of May, 2000.

BASED upon the arguments raised in the above-described documents filed by the parties, and good cause appearing therefrom, IT IS HEREBY ORDERED that the complaint in this matter be dismissed, without prejudice, due to the complainant's failure to comply with NAC 288.200 and, further, because of the complainant's failure to state a proper cause of action as to why the physicians, covered by their own collective bargaining agreement, should be awarded pay increases when the nurses received their salary increases under a separate and distinct collective bargaining agreement.

IT IS FURTHER ORDERED that the respondents' motion for dismissal is HEREBY GRANTED due to the complainant's failure to provide sufficient dates and times of the alleged occurrences to refute such allegations.

IT IS FURTHER ORDERED that respondents' motion to strike complainant's prehearing statement as untimely is moot based upon the above rulings.

DATED this 28th day of June, 2000.

LOCAL GOVERNMENT EMPLOYEE-
MANAGEMENT RELATIONS BOARD

By _____
DAVID GOLDWATER, Chairman

By _____
KAREN L. McKAY, Vice-Chairperson