

JAN 20 2016

STATE OF NEVADA
E.M.R.B.

STATE OF NEVADA

LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT

RELATIONS BOARD

INTERNATIONAL BROTHERHOOD OF) CASE NO. A1-045735
TEAMSTERS, LOCAL 14, AFL-CIO,)

Petitioner,) **ORDER**

vs.) ITEM NO. 520T

CLARK COUNTY SCHOOL DISTRICT, and)
EDUCATION SUPPORT EMPLOYEES)
ASSOCIATION,)

Respondents.)

EDUCATION SUPPORT EMPLOYEES)
ASSOCIATION,)

Counter Claimant,)

vs.)

INTERNATIONAL BROTHERHOOD OF)
TEAMSTERS, LOCAL 14, AFL-CIO, and)
CLARK COUNTY SCHOOL DISTRICT,)

Counter Respondents.)

On January 11, 2016, this matter came on before the State of Nevada, Local Government Employee Management Relations Board (“Board”) for consideration and decision pursuant to the provisions of the Local Government Employee-Management Relations Act (“the Act”) and NAC Chapter 288.

This matter concerns the representation of the bargaining unit of support staff employees of the Clark County School District (“bargaining unit”). The bargaining unit has been represented by the Education Support Employees Association (“ESEA”). Pursuant to our prior order in this matter, the Commissioner has conducted the second discretionary runoff election. The results of the election were reported to the Board through the Tally of Ballots, which is

1 attached hereto. The Tally of Ballots indicates that the International Brotherhood of Teamsters,
2 Local 14 (“Local 14”) received a majority of votes cast in the election.

3 NAC 288.110(8) permits a party to an election to file an objection to “the conduct of the
4 election or conduct affecting the results of the election.” ESEA filed an objection to the election
5 on the basis that the election was not within the Board’s authority. Having considered ESEA’s
6 objection, the Board hereby overrules the objection. We find that this election is within our
7 authority under the Act and that use of the majority of votes cast standard is warranted for the
8 reasons stated in Item No. 520Q. No other objections were filed.

9 The Board is cognizant of the logistics affecting a change in bargaining agent of a unit
10 this size, and the Board finds that a delayed effective date of 30 days is appropriate in order to
11 permit Local 14 and the School District time to make arrangements for a change in bargaining
12 agent. Given the unusual and excessive length of time that has elapsed since this matter was first
13 presented to the Board, we also find that it is appropriate for Local 14 to update and resubmit the
14 information required by NRS 288.160(1) to the School District, with a copy of said information
15 submitted to the Commissioner of the EMRB.

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 Based upon the foregoing and the Tally of Ballots attached hereto, it is hereby certified
2 that a majority of the valid ballots have been cast for the International Brotherhood of Teamsters,
3 Local 14 and that the same shall be the exclusive collective bargaining representative of the
4 employees in the bargaining unit, effective upon the later of 30 days from the date of this written
5 order or submission to the Clark County School District of the material required by NRS
6 288.160(1).

7 DATED the 20th day of January, 2016.

8 LOCAL GOVERNMENT EMPLOYEE-
9 MANAGEMENT RELATIONS BOARD

10 BY: 
11 PHILIP E. LARSON, Chairman

12 BY: 
13 BRENT C. ECKERSLEY, ESQ.,
14 Vice-Chairman

15 BY: 
16 SANDRA MASTERS, Board Member

17
18
19
20
21
22
23
24
25
26
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

STATE OF NEVADA
LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

INTERNATIONAL BROTHERHOOD OF)
TEAMSTERS, LOCAL 14, AFL-CIO,)
Petitioner,)

CASE NO. A1-045735

NOTICE OF ENTRY OF ORDER

vs.)

CLARK COUNTY SCHOOL DISTRICT, and)
EDUCATION SUPPORT EMPLOYEES)
ASSOCIATION,)
Respondents.)

EDUCATION SUPPORT EMPLOYEES)
ASSOCIATION,)
Counter Claimant,)

vs.)

INTERNATIONAL BROTHERHOOD OF)
TEAMSTERS, LOCAL 14, AFL-CIO, and)
CLARK COUNTY SCHOOL DISTRICT,)
Counter Respondents.)

To: Education Support Employees Association and their attorneys Michael W. Dyer, Esq., Frank Flaherty, Esq. and Dyer, Lawrence, Flaherty, Donaldson & Prunty

To: International Brotherhood of Teamsters, Local 14 and their attorneys Kristin L. Martin, Esq. and Davis, Cowell & Bowe. LLP

To: Clark County School District and their attorneys Scott Greenberg, Esq., Office of the General Counsel for the Clark County School District

PLEASE TAKE NOTICE that an ORDER was entered in the above-entitled matter on January 20, 2016. A copy of said order is attached hereto.

DATED this 20th day of January, 2016.

LOCAL GOVERNMENT EMPLOYEE-
MANAGEMENT RELATIONS BOARD

By: 
MARISU ROMUALDEZ ABELLAR
Board Secretary

CERTIFICATE OF MAILING

I hereby certify that I am an employee of the Local Government Employee-Management Relations Board, and that on the 20th day of January, 2016, I served a copy of the foregoing ORDER by mailing a copy thereof, postage prepaid to:

Michael W. Dyer, Esq.
Frank Flaherty, Esq.
Dyer, Lawrence, Flaherty, Donaldson & Prunty
2805 Mountain Street
Carson City, NV 89703

Kristin L. Martin, Esq.
Davis, Cowell & Bowe, LLP
595 Market Street, Suite 1400
San Francisco, CA 94105

Scott Greenberg, Esq.
Clark County School District
5100 W. Sahara Avenue
Las Vegas, NV 89146



MARISU ROMUALDEZ ABELLAR
Board Secretary

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

NEVADA LOCAL GOVERNMENT
EMPLOYEE-MANAGEMENT RELATIONS BOARD

International Brotherhood of Teamsters,
Local 14, AFL-CIO,

Petitioner,

vs.

Case No. A1-045735

Clark County School District and Education
Support Employees Association,

Respondents.

_____ /
And related counter-claim
_____ /

FILED

DEC 07 2015

**STATE OF NEVADA
E.M.R.B.**

TALLY OF BALLOTS

As Commissioner of the Nevada Local Government Employee-Management Relations Board, I hereby certify that the results of the tabulation of ballots cast in the election held in the above-captioned matter, and concluded on the date set forth below, were as follows:

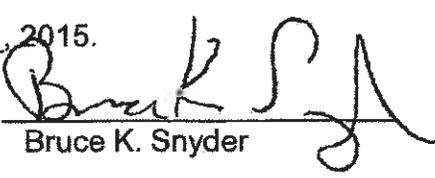
1. Number of Void Ballots Cast		<u>19</u>
No. of Ballots Cast by Termed/Quit Employees	<u>17</u>	
No. of Duplicate Ballots Cast	<u>2</u>	
2. Number of Ballots Challenged on the Ineligibility of the Voter		<u>22</u>
3. Number of Ballots Challenged Based on Alleged Defect in Ballot		<u>35</u>
No. of Challenges Sustained	<u>9</u>	
No. of Challenges Overruled in Favor of ESEA	<u>2</u>	
No. of Challenges Overruled in Favor of Teamsters	<u>24</u>	
4. Number of Valid Ballots Cast for ESEA		<u>970</u>
No. of Unchallenged Ballots Cast	<u>968</u>	
No. of Challenges Overruled in Favor of ESEA (from 3)	<u>2</u>	
5. Number of Valid Ballots Cast for Teamsters		<u>4349</u>
No. of Unchallenged Ballots Cast	<u>4325</u>	
No. of Challenges Overruled in Favor of Teamsters (from 3)	<u>24</u>	
6. Number of Valid Ballots Cast (sum of 4 and 5)		<u>5319</u>

(PK)

FF
KLL

Dated: December 5, 2015.

By the Commissioner


Bruce K. Snyder

We acknowledge receipt of a copy of this tally:

Teamsters Local 14

Clark County School District

Education Support
Employees Association

By: 

By: 
12/7/15

By: 
