

1 STATE OF NEVADA  
2 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT  
3 RELATIONS BOARD  
4

5 SERVICE EMPLOYEES INTERNATIONAL )  
6 UNION, LOCAL 1107, AFL-CIO,

7 Complainant,

8 vs.

9 CLARK COUNTY,

10 Respondent.

ITEM NO. 611A

CASE NO. A1-045833

**ORDER**

11 For Complainant: Vicky Hedderman, President  
12 SEIU Local 1107

13 For Respondent: Yolanda T. Givens, Esq.  
14 Clark County District Attorney's Office

15 On June 14, 2005, Complainant SERVICE EMPLOYEES INTERNATIONAL UNION,  
16 LOCAL 1107, AFL-CIO ("SEIU") filed a Prohibited Practice Charge with the LOCAL  
17 GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS BOARD ("Board").

18 On July 5, 2005, Respondent CLARK COUNTY ("County") filed a Motion to Dismiss.  
19 The Board held deliberations in this matter on September 7 and 8, 2005, noticed in accordance  
20 with Nevada's Open Meeting Law. Based upon the Board's deliberations, they denied the  
21 Respondent's Motion to Dismiss on September 8, 2005.

22 The County submitted their Answer on September 28, 2005 and submitted their Pre-  
23 Hearing Statement to the Board on October 18, 2005. To date, SEIU has failed to submit a Pre-  
24 Hearing Statement to the Board.

25 Pursuant to the Board's deliberations at its meeting of February 1, 2006, noticed in  
26 accordance with Nevada's Open Meeting Law, the Board decides and rules as follows:

27 Pursuant to NAC 288.250, (NRS 288.110), Pre-Hearing statements shall be submitted  
28 within 20 days of the filing of the Answer. Specifically, the regulations states that:

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1 Not later than 20 days after the service of the answer, unless  
2 otherwise ordered by the Board, each party shall submit to the  
3 Board the original and four copies of the prehearing statement of the  
party which includes:

4 1. A plain and concise statement of the issues of fact and law to be  
5 determined by the Board which have not been resolved by negotiation or  
6 otherwise;

7 2. A memorandum of law or points and authorities in support of the  
8 party's position, including a list of significant differences or close  
9 similarities of the issue or issues to any prior determinations of the  
10 Board;

11 3. A list of witnesses and their qualifications, including a brief  
12 summary of their expected testimony; and

13 4. An estimate, to the nearest hour, of the time needed for the  
14 presentation of the party's position.

15 NAC 288.250 (emphasis added).

16 SEIU should have submitted their Pre-Hearing Statement to the Board on or before  
17 October 18, 2005. Thus, Petitioner has failed to comply with the mandatory language of the  
18 regulations.

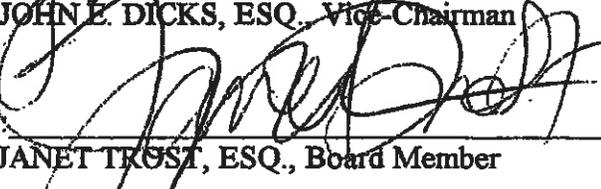
19 Based upon the Board's deliberations, IT IS HEREBY ORDERED that the Petitioner's  
20 Complaint be DISMISSED.

21 DATED this 21<sup>st</sup> day of March, 2006.

22 LOCAL GOVERNMENT EMPLOYEE-  
23 MANAGEMENT RELATIONS BOARD

24 BY: 

25 JOHN E. DICKS, ESQ., Vice-Chairman

26 BY: 

27 JANET TROST, ESQ., Board Member