

STATE OF NEVADA
LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

WASHOE EDUCATION SUPPORT)
PROFESSIONALS,)
Complainant,) ITEM NO. 681
vs.) CASE NO. A1-045930
WASHOE COUNTY SCHOOL DISTRICT,) ORDER
Respondent.)

For Complainant: Sandra G. Lawrence, Esq.
Dyer, Lawrence, Penrose, Flaherty & Donaldson

For Respondents: Rick R. Hsu, Esq.
Maupin, Cox & LeGoy

On June 24, 2008, this matter came before the Local Government Employee-Management Relations Board ("Board"); such matter being duly noticed pursuant to NRS and NAC chapters 288, NRS chapter 233B, and Nevada's open meeting laws.

This matter arose on March 19, 2008, when the Washoe Education Support Professionals ("Association") filed a petition for declaratory order with this Board. The Respondent in this matter is the Washoe County School District ("School District"). NAC 288.410 governs the Board's consideration of such a petition, and actions by the Board include the denial of the petition, scheduling the matter for hearing, or issue a ruling if the issues have been previously decided by the Board. NAC 288.410(4) allows the Board to schedule a hearing if it is in the best interests of those who may be affected by the order. The statute at issue is NRS 288.140(2), which states that the recognition of an employee organization "does not preclude any local government employee who is not a member of that employee organization from acting for himself with respect to any condition of his employment" The Association claims that it will "suffer harm if the [School] District allowed representatives of other [non-recognized]

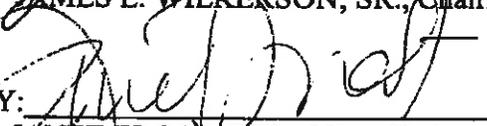
1 unions to represent members of its bargaining unit in grievance or other employment related
2 matters before the [School] District.”

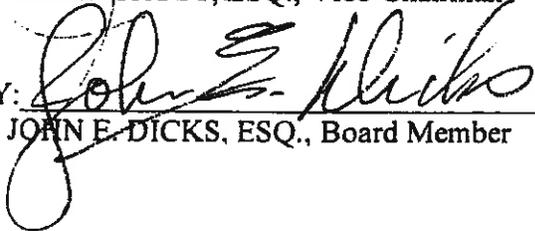
3 The Board has considered the petition and views this as an important issue that will have
4 significant impact on local governmental employees, employee organizations, and local
5 governmental employers within the State of Nevada, and that this matter should be scheduled for
6 hearing at the earliest convenience of the parties, the Board, and any amicus. Although this
7 matter shall proceed pursuant to NAC 288.280 through NAC 288.370, the Board does not
8 believe any witnesses or hearing exhibits will be necessary as this appears to be a legal issue
9 requiring briefs and oral arguments; however, if desired by any of the parties, witnesses and
10 hearing exhibits will be allowed.

11 DATED this 25th day of June, 2008.

12 LOCAL GOVERNMENT EMPLOYEE-
13 MANAGEMENT RELATIONS BOARD

14 BY: 
15 JAMES E. WILKERSON, SR., Chairman

16 BY: 
17 JANET TROST, ESQ., Vice-Chairman

18 BY: 
19 JOHN E. DICKS, ESQ., Board Member
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