

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

5 DARLENE ROSENBERG,
6 Complainant,

7 vs.

8 THE CITY OF NORTH LAS VEGAS, a
9 municipality

10 Respondents.

) ITEM NO. 707

) CASE NO. A1-045951

) **ORDER**

11 For Complainant: Darlene Rosenberg and her attorney, Adam Levine, Esq.

12 For Respondents: City of North Las Vegas and their attorney Robert W. Freeman, Jr., Esq.
13 of Freeman & Mondragon.

14 On the 28th day of October, 2009, this matter came on before the State of Nevada, Local
15 Government Employee-Management Relations Board ("Board"), for consideration and decision
16 pursuant to the provisions of the NRS and NAC chapters 288, NRS chapter 233B, and was
17 properly noticed pursuant to Nevada's open meeting laws.

18 The Complaint in this matter was filed on May 6, 2009 by Complainant Darlene
19 Rosenberg. The Complaint alleges that Rosenberg's employment with Respondent was
20 terminated on March 5, 2009, and that the termination was unlawful under NRS 288.270(1)(c)
21 and 288.270(1)(d) as it was motivated by the fact that Rosenberg was a member of Teamsters
22 Local 14, covered under a collective bargaining agreement.

23 Respondent filed an Answer to the Complaint on May 28, 2009 addressing the allegations
24 brought by Complainant.

25 Pre-hearing statements were filed by the Respondent on August 21, 2009 and by the
26 Complainant on August 24, 2009.

27 NAC 288.375(2) allows the Board to dismiss a Complaint if the parties have not
28 exhausted their contractual remedies, including all rights to arbitration. It is not clear to the

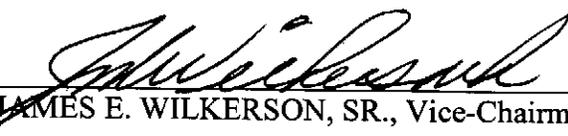
1 Board based upon the documents submitted whether Complainant has exhausted her contractual
2 remedies under the collective bargaining agreement. The Board, in its discretion, hereby decides
3 not to hear this case at this time unless and until Complainant has exhausted her administrative
4 and contractual remedies. The Board finds that a status report from the parties addressing the
5 issue of exhaustion of contractual and administrative remedies will assist the Board in deciding
6 whether or not to hear this case.

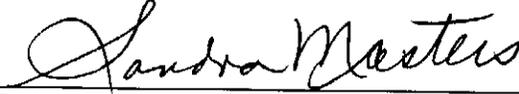
7 Based upon the foregoing, and good cause appearing therefore, IT IS HEREBY
8 ORDERED that the parties shall submit a status report to the Board no later than January 8,
9 2010. The status report shall address the questions raised in this order, and shall inform the
10 Board of Complainant's contractual and administrative remedies, and the actions taken to pursue
11 those remedies.

12 DATED this 19th day of November, 2009.

13 LOCAL GOVERNMENT EMPLOYEE-
14 MANAGEMENT RELATIONS BOARD

15 BY: 
16 SEATON J. CURRAN, ESQ., Chairman

17 BY: 
18 JAMES E. WILKERSON, SR., Vice-Chairman

19 BY: 
20 SANDRA MASTERS, Board Member
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NOTICE OF ENTRY OF ORDER

10 TO: Darlene Rosenberg and her attorney, Adam Levine, Esq.

11 TO: City of North Las Vegas and their attorney Robert W. Freeman, Jr., Esq. of Freeman &
12 Mondragon.

13 PLEASE TAKE NOTICE that an ORDER was entered in the above-entitled matter on
14 November 19, 2009.

15 A copy of said order is attached hereto.

16 DATED this 20th day of November, 2009.

17 LOCAL GOVERNMENT EMPLOYEE-
18 MANAGEMENT RELATIONS BOARD

19
20 BY


JOYCE HOLTZ, Board Secretary

