

STATE OF NEVADA
LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

DARLENE ROSENBERG,
Complainant,
vs.
CITY OF NORTH LAS VEGAS,
Respondent.

ITEM NO.: 707A
CASE NO. A1-045951

ORDER

On the 20th day of July, 2010, 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 NRS and NAC chapters 288, NRS chapter 233B, and was properly noticed pursuant to Nevada's open meeting laws.

We have previously ordered that we would not hear this case unless and until Complainant Darlene Rosenberg had exhausted her contractual remedies under the collective bargaining agreement, including arbitration of her dispute with the City. Complainant now asks us to modify that order and to reset this case for a hearing. The basis of the request is that the City is refusing, or at least delaying, the arbitration proceedings. Complainant asserts that the City's inaction has cost the parties an arbitration date in September of 2010 and that the arbitrator does not have any more available dates this year to conduct an arbitration and the earliest available dates are now no earlier than March of 2011. The City disputes this and reports that it responded to Complainant's counsel suggesting dates in October of 2010 to hold the arbitration.

1 Regardless of what transpired between the parties, it now appears that this matter will not
2 proceed to arbitration until at least March of 2011, although the parties did not state that a March
3 2011 date had actually been scheduled with the arbitrator. An arbitration that occurs 17 months
4 after our order to stay the matter is unusual, as well a matter of concern to the Board.
5

6 While we do not grant the Complainant's motion outright, we hereby modify our prior
7 order that imposed a stay in this case until the Complainant had exhausted her contractual
8 remedies. We hereby order that the proceedings in this case shall be stayed only until September
9 20, 2010, and the stay which we have imposed will expire at that time.
10

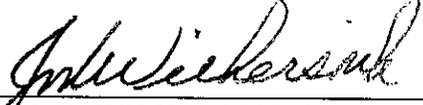
11 We also hereby order the parties to submit a joint progress report to the Board **no later**
12 **than September 20, 2010** which shall list the specific dates that have been agreed upon and
13 scheduled with the arbitrator. We will then reconsider whether or not to hear this case at our
14 next Board meeting following the expiration of the stay.
15

16 DATED this 28th day of July, 2010.

17
18 LOCAL GOVERNMENT EMPLOYEE-
19 MANAGEMENT RELATIONS BOARD

20 
21 BY: _____
22 SEATON J. CURRAN, ESQ., Chairman

23 
24 BY: _____
25 SANDRA MASTERS., Vice-Chairman

26 
27 BY: _____
28 JAMES E. WILKERSON, SR, Board Member

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

5 DARLENE ROSENBERG,
6 Complainant,

7 vs.

8 CITY OF NORTH LAS VEGAS,
9 Respondent.

CASE NO. A1-045951

NOTICE OF ENTRY OF ORDER

10 To: Darlene Rosenberg and your attorney Adam Levine, Esq.

11
12 TO: City of North Las Vegas and your attorneys Freeman & Mondragon

13
14 PLEASE TAKE NOTICE that an ORDER was entered in the above-entitled matter on
15 July 28, 2010.

16 A copy of said order is attached hereto.

17 DATED this 28th day of July, 2010.

18 LOCAL GOVERNMENT EMPLOYEE-
19 MANAGEMENT RELATIONS BOARD

20 BY 
21 ANDY ANDERSON, Commissioner
22
23
24
25
26
27
28

1 **CERTIFICATE OF MAILING**

2 I hereby certify that I am an employee of the Local Government Employee-Management
3 Relations Board, and that on the 28th day of July, 2010, I served a copy of the foregoing
4 ORDER by mailing a copy thereof, postage prepaid to:

5 Adam Levine, Esq.
6 Law Offices of Daniel Marks
7 530 S. Las Vegas Blvd., Ste. 300
8 Las Vegas, NV 89011
9 Attorney for Complainant

10 Robert W. Freeman, Esq.
11 Amy V. Mondragon, Esq.
12 Freeman & Mondragon
13 1060 Wigwam Parkway
14 Henderson, NV 89074
15 Attorney for Respondent

16
17
18
19
20
21
22
23
24
25
26
27
28



ANDY ANDERSON, Commissioner