

STATE OF NEVADA  
LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT  
RELATIONS BOARD

MARTHA F. BLAZEK,

Complainants,

vs.

CITY OF LAS VEGAS and LAS VEGAS  
CITY EMPLOYEES' ASSOCIATION,

Respondents.

ITEM NO.: 746

CASE NO. A1-046003

**ORDER**

TO: Martha Blazek, In Proper Person

TO: City of Las Vegas and their attorney Morgan Davis, Esq.

Las Vegas City Employees' Association and their attorney Bruce K. Snyder, Esq.

This matter came on before the State of Nevada, Local Government Employee-Management Relations Board ("Board"), on March 11, 2011 for consideration and decision pursuant to the provisions of the Local Government Employee-Management Relations Act ("the Act"); NAC Chapter 288, NRS chapter 233B, and was properly noticed pursuant to Nevada's open meeting laws.

On January 20, 2011 Respondent Las Vegas City Employees' Association filed a partial motion to dismiss. Respondent City of Las Vegas joined in the motion. Complainant has not filed an opposition to the motion. Pursuant to NAC 288.240(6) the Board may construe Complainant's failure to file an opposition as consent to granting the motion.

The motion asks the Board to dismiss claim 2 of the complaint on the basis that the complaint was filed more than six months after the occurrence specified in the complaint - that Complainant was bumped from the position of bus driver to that of Maintenance Worker I. The Association has attached an affidavit asserted that this occurrence took place in August of 2009. Complainant filed her complaint with this Board on January 11, 2011.

1 NRS 288.110(4) states that this Board "may not consider any complaint or appeal filed  
2 more than 6 months after the occurrence which is the subject of the complaint..." Given the  
3 evidence submitted by the Association, and the lack of any response from Complainant, the  
4 Board finds that claim 2 is barred by the statute of limitations. This claim is therefore dismissed.

5 The motion also states that Claim 3 does not appear to be directed against the  
6 Association. The Board agrees. Therefore, claim 3 will be dismissed as to the Association as  
7 well.

8 Based upon the foregoing, and good cause appearing therefore,

9 It is hereby ordered that Respondents' partial motion to dismiss is granted as set forth  
10 herein.

11 DATED this 21st day of March, 2011.

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13 LOCAL GOVERNMENT EMPLOYEE-  
14 MANAGEMENT RELATIONS BOARD

15 BY:   
16 SEATON J. CURRAN, ESQ., Chairman  
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1 STATE OF NEVADA  
2 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT  
3 RELATIONS BOARD  
4

5 MARTHA F. BLAZEK,

6 Complainants,

7 vs.

8 CITY OF LAS VEGAS and LAS VEGAS  
9 CITY EMPLOYEES' ASSOCIATION,

10 Respondents.

CASE NO. A1-046003

**NOTICE OF ENTRY OF ORDER**

11 TO: Martha Blazek, In Proper Person

12 TO: City of Las Vegas and their attorney Morgan Davis, Esq.

13 Las Vegas City Employees' Association and their attorney Bruce K. Snyder, Esq

14 PLEASE TAKE NOTICE that an ORDER was entered in the above-entitled matter on  
15 March 21, 2011.

16 A copy of said order is attached hereto.

17 DATED this 21st day of March, 2011.

18 LOCAL GOVERNMENT EMPLOYEE-  
19 MANAGEMENT RELATIONS BOARD

20  
21 BY

  
22 JOYCE A. HOLTZ, Executive Assistant  
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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 21st day of March, 2011, I served a copy of the foregoing  
4 ORDER by mailing a copy thereof, postage prepaid to:

5 Martha Blazek  
6 9745 Grand Teton #1076  
7 Las Vegas, NV 89166

8 Morgan Davis, Esq., City Attorney  
9 City of Las Vegas  
10 400 East Stewart Avenue, 9<sup>th</sup> Floor  
11 Las Vegas, NV 89101

12 Bruce K. Snyder, Esq.  
13 Las Vegas City Employees' Association  
14 857 North Eastern Ave.  
15 Las Vegas, NV 89101

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JOYCE A. HOLTZ, Executive Assistant