FILED
SEP 16 2015
STATE OF NEVADA
E.M.R.B.

STATE OF NEVADA

LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT

RELATIONS BOARD

DEBORAH BOLAND, M.D., a Local Government Employee and member of the UMC PHYSICIANS' BARGAINING UNIT of NEVADA SERVICE EMPLOYEES UNION, SEIU LOCAL 1107, AFL-CIO, CLC, et. al., Complainants, vs. NEVADA SERVICE EMPLOYEES UNION, SEIU LOCAL 1107, AFL-CIO and SERVICE EMPLOYEES INTERNATIONAL UNION, AFL-CIO, CLC, Respondents.	Consolidated CASE NO. A1-045847; A1-045848; A1-045849; A1-045850; A1-045851; A1-045852; A1-045853; A1-045854; A1-045855; A1-045856; A1-045857; A1-045858; A1-045859; A1-045860; A1-045861; A1-045862; A1-045863; and A1-045864 **ORDER (CORRECTED)** **ITEM NO. 802-A**

On the 15th day of September 2015, 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 the Local Government Employee-Management Relations Act ("the Act") NRS Chapter 288. The Board held a second administrative hearing concerning the appropriate remedy in this matter on September 15, 2105.

Our previous order found that Respondent Service Employees International Union, Local 1107 ("Local 1107") breached its duty of fair representation when it abandoned outstanding grievances. We ordered Local 1107 to remedy this violation of the Act by pursuing the grievances that were outstanding as of Local 1107's withdrawal as bargaining agent. Because we had previously bifurcated this hearing, the Board permitted any party to request this second hearing to address the issue of remedies. Complainants requested such a hearing.

The issue before the Board at this second hearing was simply to ascertain which grievances remained outstanding and to clarify those which Local 1107 must address to remedy its breach of the duty of fair representation. At the second hearing Dr. Brad Walker appeared and testified as to the status of outstanding grievances. Local 1107 did not present any witnesses at

the second hearing.

Having considered the testimony of Dr. Walker, the Board finds that the following grievances, which are listed in Complainant's Exhibit 43, are outstanding and within the scope of our prior order:

Grievance # 1: the "charge physicians" grievance;

Grievance # 3-4: the "failure to hire physicians at FTE-status" grievance;

Grievance # 6: the "changing of posted schedules" grievance;

Grievance # 7: the "per diem used as full/part time" grievance;

Grievance # 9: the "working clocked out under threat of discipline" grievance;

Grievance # 13: the "missing steward pay" grievance;

Grievance # 18: the "CME" grievance;

Grievance # 20: the "Laughlin travel time" grievance;

Grievance # 22: the "McCarran shifts past 3 AM" grievance;

Grievance # 26: the "temporary reassignments" grievance,

Each of these grievances was identified based upon Exhibit 43, and was discussed at the second hearing by Dr. Walker. The Board finds insufficient evidence to show that any other grievance was outstanding as of Local 1107's withdrawal.

In accordance with our prior order, Local 1107 shall pursue the above-listed grievances. Local 1107 shall do so within the discretion typically allotted to bargaining agents to pursue grievances and in accordance with the duty of fair representation.

DATED the 16th day of September, 2015.

LOCAL GOVERNMENT EMPLOYEE-
MANAGEMENT RELATIONS BOARD

BY: _____
PHILIP E. LARSON, Chairman

BY: _____
BRENT C. ECKERSLEY, ESQ.,
Vice-Chairman

BY: _____
SANDRA MASTERS, Board Member

STATE OF NEVADA

LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT

RELATIONS BOARD

DEBORAH BOLAND, M.D., a Local Government Employee and member of the UMC PHYSICIANS' BARGAINING UNIT of NEVADA SERVICE EMPLOYEES UNION, SEIU LOCAL 1107, AFL-CIO, CLC, et. al., Complainants, vs. NEVADA SERVICE EMPLOYEES UNION, SEIU LOCAL 1107, AFL-CIO and SERVICE EMPLOYEES INTERNATIONAL UNION, AFL-CIO, CLC, Respondents.	Consolidated CASE NO. A1-045847; A1-045848; A1-045849; A1-045850; A1-045851; A1-045852; A1-045853; A1-045854; A1-045855; A1-045856; A1-045857; A1-045858; A1-045859; A1-045860; A1-045861; A1-045862; A1-045863; and A1-045864 **NOTICE OF ENTRY OF ORDER**

To Complainants: Deborah Boland, et. al., and their attorney Esther C. Rodriguez, Esq.

To Respondent: Nevada Service Employees Unions, SEIU Local 1107, and their attorney Michael A. Urban, Esq.

PLEASE TAKE NOTICE that the ORDER (CORRECTED) was entered in the above-entitled matter on September 16, 2015.

A copy of said order is attached hereto.

DATED this 16th day of September, 2015.

LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS BOARD

By: _____

MARISU ROMUALDEZ ABELLAR
Executive Assistant