

STATE OF NEVADA

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MARISU ROMUALDEZ ABELLAR  
*Executive Assistant*

DEPARTMENT OF BUSINESS AND INDUSTRY  
**LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT  
RELATIONS BOARD**

3300 W. Sahara Avenue, Suite 260, Las Vegas, Nevada 89102  
(702) 486-4504 • Fax (702) 486-4355  
www.emrb.state.nv.us

April 10, 2018

**MINUTES OF THE MEETING OF THE LOCAL GOVERNMENT  
EMPLOYEE-MANAGEMENT RELATIONS BOARD**

A meeting of the Local Government Employee-Management Relations Board, sitting *en banc*, and properly noticed and posted pursuant to the Nevada Open Meeting Law, was held on Tuesday, April 10, 2018, at the hour of 8:00 a.m., at the Nevada State Business Center, 3300 West Sahara Avenue, Fourth Floor, Tahoe Room, Las Vegas, Nevada 89102. The meeting was video-conferenced to the Department of Business and Industry's Director's Office Conference Room, 1830 E. College Parkway, Suite 100, Carson City, Nevada 89706.

The following Board members were present:

Brent C. Eckersley, Esq., Chair  
Sandra Masters, Vice Chair<sup>1</sup>  
Cam Walker, Board Member  
Gary Cottino, Board Member

Also present:

Bruce K. Snyder, Commissioner  
Marisu Romualdez Abellar, Board Secretary  
Donald Bordelove, Esq., Attorney General's Office

Members of the Public Present:

Allison Kheel, Fisher & Phillips LLC

The Agenda:

**PRELIMINARY MATTERS**

**1. Call to Order**

The Board meeting was called to order by Brent C. Eckersley, Esq., Chair, on Tuesday, April 10, 2018 at 8:00 a.m.

<sup>1</sup> Board Member Masters attended the meeting via video-conference in Carson City.

**2. Public Comment**

Allison Kheel offered public comment. A copy of her prepared testimony is attached to these minutes.

**3. Approval of the Minutes**

The Board approved the minutes as presented for the Board meeting held March 19-20, 2018.

**GENERAL AGENCY MATTERS**

**4. Schedule of Future Board Meetings**

The Board reviewed the proposed schedule and made changes to the following dates:

Dates	Panel	Panel Members	Meeting Location	Hearings on Cases
May 8-10, 2018	Panel C	PL, CW, GC	Las Vegas	2017-035, 2017-036
May 22-24, 2018	Panel A	BE, SM, PL	Las Vegas	2017-020
June 19-21, 2018	Panel D	BE, CW, GC	Las Vegas	2017-027
July 10-12, 2018	Panel E	BE, SM, GC	Elko	2017-026
July 11, 2018	<i>en Banc</i>	All	Las Vegas	None (*)
July 31-Aug 2, 2018	Panel B	SM, PL, CW	Las Vegas	2017-034
Aug 14-16, 2018	Panel C	PL, CW, GC	Las Vegas#	Not Yet Assigned
Aug 28-30, 2018	Panel A	BE, SM, PL	Las Vegas	Not Yet Assigned
Sep 18-20, 2018	Panel D	BE, CW, GC	Las Vegas	Not Yet Assigned
Oct 9-11, 2018	Panel E	BE, SM, GC	Las Vegas#	Not Yet Assigned
Oct 15-17, 2018	Panel B	SM, PL, CW	Las Vegas	Not Yet Assigned

(\*) = Special meeting for the annual election of the Chair and Vice Chair.

(#) = Possible video-conference to Carson City.

**5. Report of the Deputy Attorney General**

Deputy Attorney General Donald Bordelove provided an oral report on the various matters pending in court. He specifically mentioned that oral argument is set for May 14<sup>th</sup> in the Bonner & Washington v. City of North Las Vegas case, which is before a judge in the First Judicial District. He also mentioned that the deadline to appeal the decision of Judge Jones in the Las Vegas Peace Officers Association v. City of Las Vegas case is May 4<sup>th</sup>.

**6. Reports by the Commissioner**

A. Report on Cases Currently Outstanding.

Commissioner Snyder briefly discussed the contents of the log.

B. Report on the Final Approval of the Regulations by the Legislative Commission.

Commissioner Snyder went through a memorandum providing an overview of the agency's revenues, expenditures and reserves. He specifically mentioned

that the amount of the reserves was well in excess of the suggested level and that because of this he recommended that the current assessment rate be reduced from \$6.75 per employee to \$6.00 per employee. He furthermore recommended that the civil penalty fee be kept at the current rate of \$1.00 per employee. Upon motion, the Board approved the recommendations as presented.

## CASES

### STIPULATIONS

7. **Case 2017-023**  
**Nicholas & Las Vegas Police Protective Association v. Las Vegas Metropolitan Police Department**  
Commissioner Snyder mentioned that the case had indeed settled and that the parties stated the stipulation to dismiss will be received in time for the next meeting.
8. **Case 2017-031**  
**Darin Welsh v. Las Vegas Police Protective Association-Civilian Employees**  
The Board granted the Stipulation to Dismiss Without Prejudice, as presented, with each party responsible for its own fees and costs.
9. **Case 2017-037**  
**SEIU, Local 1107 v. Southern Nevada Health District**  
The Board granted the Joint Stipulation to Dismiss Complaint, as presented, with each party responsible for its own fees and costs.

### MOTIONS

10. **Case 2017-028**  
**Elizabeth Bantz v. Washoe County School District**  
The Board deliberated on Respondent's Motion to Dismiss the Amended Complaint, and upon motion, came to the following decision: (1) that with respect to claims one through three the motion to dismiss is granted and (2) that with respect to the fourth claim the motion to dismiss is denied and that a bifurcated hearing is to be held on the issue of equitable tolling.
11. **Case 2018-002**  
**Education Support Employees Association v. Clark County School District & Robert Vance**  
The Board deliberated on Vance's Motion to Dismiss, and upon motion, came to the following decision: (1) that the motion to dismiss is granted with leave to amend the complaint to allege that Vance is being made a Respondent in his official, as opposed to personal, capacity and (2) that the remainder of the motion to dismiss is denied as a

hearing is needed.

The Board also deliberated on Respondent Clark County School District's Motion to Dismiss, and upon motion, the motion was denied as a hearing is needed.

### **MISCELLANEOUS MATTERS RELATED TO CASES**

**12. Case 2017-025**  
**Yu & Las Vegas Police Managers and Supervisors Association v. Las Vegas Metropolitan Police Department**

The Board deliberated on the hearing previously held, and upon motion, found in favor of Complainants that the Respondent had committed a unilateral change in that Respondent should have accepted the filing of a grievance. The Board therefore ordered that the grievance should have been accepted and that an arbitrator should thereupon decide the merits of the case.

Chair Eckersley stated he would be filing a concurring opinion which would state that had the Board reached the merits of the case he would have ruled that Yu's transfer was an administrative transfer. Vice Chair Masters abstained as she was not present for the hearing.

### **HEARINGS**

**13. Case 2017-017**  
**Teamsters Local 14, Williams & Davis v. Las Vegas Metropolitan Police Department**

Commissioner Snyder stated he received an e-mail chain yesterday from both parties, which stated the parties had reached a settlement in the case and that a stipulation to dismiss will be filed soon.

<b>CLOSING MATTERS</b>
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**14. Items for Future Agendas**  
No items were suggested by the Board.

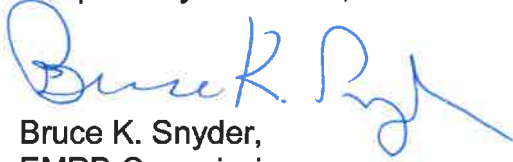
**15. Additional Period of Public Comment**  
No public comment was offered.

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**16. Adjournment**

There being no additional business to conduct, Chair Eckersley adjourned the meeting.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Bruce K. Snyder", with a long horizontal flourish extending to the right.

Bruce K. Snyder,  
EMRB Commissioner

