

STATE OF NEVADA

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Executive Assistant

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

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March 20, 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 Monday, March 19, 2018, at the hour of 2:00 p.m., and continuing on Tuesday, March 20, 2018, at the Nevada State Business Center, 3300 West Sahara Avenue, Fourth Floor, Tahoe Room, Las Vegas, Nevada 89102.

The following Board members were present:

Brent C. Eckersley, Esq., Chair
Sandra Masters, Vice Chair¹
Philip E. Larson, Board Member
Cam Walker, Board Member
Gary Cottino, Board Member

Also present:

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

Members of the Public Present:

Adam Levine, Esq., Law Office of Daniel Marks
Mark Ricciardi, Esq., Fisher & Phillips LLP

The Agenda:

PRELIMINARY MATTERS

1. Call to Order

The Board meeting was called to order by Brent C. Eckersley, Esq., Chair, on Monday, March 19, 2018 at 2:00 p.m.

¹ Board Member Masters was excused from Monday's session.

2. Public Comment

No public comment was offered.

3. Approval of the Minutes

The Board approved the minutes as presented for the Board meeting held February 13-14, 2018.

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| GENERAL AGENCY MATTERS |
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4. Schedule of Future Board Meetings

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

| <u>Dates</u> | <u>Panel</u> | <u>Panel Members</u> | <u>Meeting Location</u> | <u>Hearings on Cases</u> |
|-------------------|----------------|----------------------|-------------------------|--------------------------|
| April 10-12, 2018 | <i>en Banc</i> | All | Las Vegas | 2017-017 |
| 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 12-14, 2018 | Panel D | BE,CW,GC | Las Vegas | 2017-027 |
| July 10, 2018 | <i>en Banc</i> | All | Las Vegas | None (*) |
| July 10-12, 2018 | Panel E | BE,SM,GC | Elko | 2017-026 |
| July 24-26, 2018 | Panel B | SM,PL,CW | Las Vegas | 2017-034 |

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

5. 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 reported that the Legislative Commission approved the regulations on February 27th and that the same were filed with the Secretary of State the same day. He further reported that the regulations are now on the agency's website and that a copy of them has been e-mailed to all the attorneys on the agency's mailing lists.

C. Recommendations to Include in the Agency Budget Proposals.

Commissioner Snyder reviewed the various possible recommendations mentioned at last month's meeting and also reported on the budget meeting with Business & Industry staff that occurred on March 14th.

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| CASES |
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STIPULATIONS

6. **Case 2017-021**
Varner, Rumbaugh & Las Vegas Police Protective Association v. Las Vegas Metropolitan Police Department
The Board granted the Stipulation to Dismiss, as presented, with each party responsible for its own fees and costs.

7. **Case 2017-023**
Nicholas & Las Vegas Police Protective Association v. Las Vegas Metropolitan Police Department
This item was postponed until the next meeting as the stipulation had not yet been received.

MISCELLANEOUS MATTERS RELATED TO CASES

8. **Case 2017-010**
Kerns & Las Vegas Police Managers and Supervisors Association v. Las Vegas Metropolitan Police Department
The Board deliberated on the hearing previously held and came to the following decision: (1) that the Respondent did not commit any unilateral changes as alleged in the Complaint; (2) that the employee was not coerced into retirement; and (2) that no fees and costs are to be awarded in this case. Board Member Walker abstained as he was not present when the hearing took place.

9. **Case 2017-011**
SEIU, Local 1107 v. Southern Nevada Health District
Upon motion, the board denied the Motion to Strike Portions of Complainant's Post-Hearing Brief. The Board then deliberated on the hearing previously held and came to the following decision: (1) that all three job classifications in contention are not required to be excluded from any bargaining unit and (2) that no fees and costs are to be awarded in this case. Board Members Walker and Cottino abstained on the decision as they were not on the Board when the hearing took place.

10. **Case 2017-033**
Clark County v. IAFF, Local 1908
The Board reviewed the Joint Status Report filed by the parties and requested that the Commissioner convey to the parties that future joint status reports should contain more detailed information.

11. Cases in the Queue for Future Hearing or Settlement Conference

The Board agreed to hear the following cases, and after doing so, the cases were then randomly assigned to one of the panels as follows, each of which is scheduled to meet on the dates listed in agenda item 4 above:

Panel A

2017-020, Juvenile Justice Supervisors Association and Juvenile Justice Probation Officers Association v. Clark County

Panel B

2017-034, Cook, Burt & Las Vegas Police Protective Association v. Las Vegas Metropolitan Police Department

Panel C

2017-035, Chuck Danser v. City of North Las Vegas & North Las Vegas Police Officers Association

2017-036, Holloway and Las Vegas Police Protective Association v. Las Vegas Metropolitan Police Department

2017-023, Nicholas and Las Vegas Police Protective Association v. Las Vegas Metropolitan Police Department (backup)

Panel D

2017-027, O'Neil et al. and Las Vegas Police Protective Association v. Las Vegas Metropolitan Police Department

Panel E

2017-026, City of Elko v. Elko Police Officers Association

2017-038, SEIU, Local 1107 v. Las Vegas Convention & Visitors Authority (backup)

The Board also agreed to send the following case to a mandatory settlement conference, to be scheduled by the Commissioner:

2017-038, SEIU, Local 1107 v. Las Vegas Convention & Visitors Authority

The Board took no action on any of the other cases in the queue.

12. Case 2017-030

Teamsters Local 14 v. Town of Pahrump

The Board reviewed the various election plan documents and approved them with one recommended change to Section 2.05(c) of the Election Plan document, as agreed to by the parties and which was read into the record at the meeting.

HEARINGS

13. Case 2017-024

IAFF, Local 1607 v. City of North Las Vegas

The parties notified the EMRB that the case had settled and had submitted a Stipulation and Order of Dismissal With Prejudice, which was granted, as presented.

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| CLOSING MATTERS |
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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.

16. Adjournment

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

Respectfully submitted,


Bruce K. Snyder,
EMRB Commissioner