

STATE OF NEVADA

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MICHAEL J. SMITH, Vice-Chair
SANDRA MASTERS, Board Member
TAMMARA M. WILLIAMS, Board Member
MICHAEL A. URBAN, Board Member

MARISU ROMUALDEZ ABELLAR
Executive Assistant

DEPARTMENT OF BUSINESS AND INDUSTRY
GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

April 11, 2024

NOTICE OF PUBLIC MEETING
(Meeting No. 24-05)

Pursuant to Nevada's Open Meeting Law, notice is hereby given that the Government Employee-Management Relations Board will hold a meeting of the Board sitting *En Banc* on:

Thursday, April 18, 2024 at 8:15 a.m.; and continuing on Monday, April 22, 2024 at 8:15 a.m., if necessary; and continuing on Tuesday, April 23, 2024 at 8:15 a.m.; and continuing on Wednesday, April 24, 2024 at 8:15 a.m., if necessary. The meeting will be held in the Carl Dodge Conference Room, which is located at the EMRB Office located on the fourth floor of the Nevada State Business Center, 3300 W. Sahara Avenue, Las Vegas, NV 89102.

The meeting will also be held virtually using a remote technology system called WebEx. Accordingly, any person planning to participate in the meeting who does not wish to attend in-person must participate by using WebEx.

WebEx Link

There are two ways to join the meeting to hear, observe and participate using WebEx. If you would like to hear, observe and participate in the meeting online, you may click on the link below. If you received a personal invitation to the meeting, then you may alternately click on the green join meeting button contained within the e-mail you received.

Meeting number: 2487 677 5073

Password: AZbyJMrB232

<https://businessnv2.webex.com/businessnv2/j.php?MTID=m32ea3000beb79c6e661667dc60f3eb90>

Join by phone:

1-844-621-3956 United States Toll Free

Access Code: 2487 677 5073

Board Chair Eckersley shall be the Presiding Officer of the Board sitting en banc except for Item 4, in which case Vice-Chair Smith shall be the presiding officer.

THE AGENDA

Note: The Board may take possible action on any item on this agenda unless that item is marked as "Information Only." Items marked as "Information Only" may be discussed by the Board after any presentation is made but no action may be taken on that particular item. The Board may take items out of order, may combine two or more agenda items for consideration, may remove items from the agenda or may delay discussion of any item at any time.

The Board Sitting *En Banc*

Note: Agenda items 1, 2, and 11 will be repeated each day of the Board meeting.

The following 2 items are for consideration by the full Board:

1. **Opening Items** *Information Only*
Call to Order
Roll Call
Pledge of Allegiance
Moment of Silence

2. **Public Comment** *Information Only*
The Board welcomes public comment. Public comment must be limited to matters relevant to or within the authority of the Government Employee-Management Relations Board. No subject may be acted upon unless that subject is on the agenda and is scheduled for possible action. If you wish to be heard, please introduce yourself at the appropriate time and the Presiding Officer will recognize you. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited. The Board will not restrict public comment based upon viewpoint. However, the Board may refuse to consider public comment prior to the commencement and/or conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual. See NRS 233B.126.

3. **Case 2024-001** *For Possible Action*
Association of Professional-Technical Administrators v. Washoe County School District
The hearing will be held Thursday, April 18, 2024 at 8:15; and continuing on Monday, April 22, 2024 at 8:15 a.m., if necessary; and continuing on Tuesday, April 23, 2024 at 8:15 a.m., if necessary.

The hearing will be held in the Carl Dodge Conference Room, which is located at the EMRB Office located on the fourth floor of the Nevada State Business Center, 3300 W.

Sahara Avenue, Las Vegas, NV 89102. The hearing will also be held virtually using a remote technology system called WebEx.

The attorneys of record, witnesses, court reporter, one or more of the panel members and the Deputy Attorney General assigned to the EMRB will be present via WebEx. The Commissioner and the remaining panel members will be present in Las Vegas.

The hearing will be bifurcated with the threshold issue as to APTA's status being heard first. The Board will then deliberate on this issue before proceeding with the rest of the case, if necessary.

Preliminary motions will be heard at the beginning of the hearing. The Board may hear oral argument and deliberate on two such motions that have been filed, namely: Respondent's Motion to Dismiss Complainant's First Amended Complaint and Complainant's Motion to Bar Respondent's Affirmative Defenses.

The Panel may deliberate and take possible action on this case after the hearing has concluded.

4. **Consolidated Case 2023-015 (with 2023-023)** *For Possible Action*
Association of Professional-Technical Administrators v. Washoe County School District and Washoe County School District v. Association of Professional-Technical Administrators

The hearing will be held Monday, April 22, 2024 at 8:15 a.m., or upon conclusion of the hearing for case 2024-001, whichever is later; and continuing on Tuesday, April 23, 2024 at 8:15 a.m., if necessary; and continuing on Wednesday, April 24, 2024 at 8:15 a.m., if necessary. Pursuant to NAC 288.271(3) the presiding officer shall be Vice-Chair Michael J. Smith.

The hearing will be held in the Carl Dodge Conference Room, which is in the EMRB Office located on the fourth floor of the Nevada State Business Center, 3300 W. Sahara Avenue, Las Vegas, NV 89102. The hearing will also be held virtually using a remote technology system called WebEx.

The attorneys of record, witnesses, court reporter, the Deputy Attorney General assigned to the EMRB and one or more of the panel members will be present via WebEx. The remaining panel members and Commissioner will be present in-person. Preliminary motions will be heard at the beginning of the hearing. The Panel may deliberate and take possible action on this case after the hearing has concluded.

5. **Approval of the Minutes** *For Possible Action*
For possible action on the minutes of the meeting held March 19-21, 2024.

(cont'd on next page)

6. **Case 2023-027** *For Possible Action*
Joseph Mendoza & North Lyon Firefighters Association, IAFF Local 4547 v. North Lyon County Fire Protection District; Daniel McCassie, in his official capacity; Mike Callagy, Jr., in his official capacity; and Harry Wheeler, in his official capacity
Deliberation and decision on the Second Joint Status Report.
7. **Case 2024-007** *For Possible Action*
In Re: Petition for Recognition as the Exclusive Representative for Unit M
Deliberation and decision on the Battle Born Firefighters Association's Petition for Designation as the Exclusive Representative for Supervisory Bargaining Unit O-Firefighters Supervisors. This will include presentation of the staff audit report on the petition. **This item is scheduled for a time certain of Tuesday, April 23, 2024 at 8:15 a.m.**
8. **Case 2024-002** *For Possible Action*
Nye County Management Employees Association v. Nye County
Deliberation and decision on (1) the Motion to Require Nye County to Strike Names to Select an Interest Arbitrator Pursuant to NRS 288.200(6), or Alternatively to Authorize NCMEA to Select the Interest Arbitrator from the Strike List Provided by FMCS and (2) Respondent's Motion to Consolidate (with case 2023-033).
9. **Case No. A-24-888242-J in Eighth Judicial District Court** *For Possible Action*
International Union of Elevator Constructors, Local 18 v. State of Nevada, Government Employee-Management Relations Board; Clark County, Nevada
Deliberation and decision on what actions, if any, to take on the Petition for Judicial Review filed in the above-entitled matter.
10. **Administrative Assistant II Vacancy** *For Possible Action*
Deliberation and decision on whether to fill the vacant position, and if so then the process to be used to do so, or alternately, to leave the position open and instead use temporary services as needed for the remainder of the current biennium and also for the upcoming biennium.
11. **Additional Period of Public Comment** *Information Only*
Please refer to agenda item 2 for any rules pertaining to public comment.
12. **Adjournment** *For Possible Action*

(cont'd on next page)

Posting

This meeting has been posted at the following locations and websites at least three days prior to the scheduled date of this meeting, in accordance with NRS 241.020(2):

Government Employee-Management Relations Board, 3300 W. Sahara Avenue, Suite 490, Las Vegas, Nevada
Department of Business & Industry, 3300 W. Sahara Avenue, Fourth Floor, Las Vegas, Nevada
Department of Administration Public Meeting Notice Web Site: <http://notice.nv.gov/>
Government Employee-Management Relations Board Web Site: <http://emrb.nv.gov>

Inquiries and Supporting Materials

You may obtain copies of any supporting materials by contacting the Board Secretary, Marisu Romualdez Abellar, at the address at the top of page one of this document or by calling 702-486-4505. A link to the supporting materials may also be found on the agency's website next to the agenda for the meeting, which will be posted three business days before the hearing.

Special Accommodations

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the EMRB at the address or telephone number above. Please notify us as soon as possible to allow time to secure any necessary equipment or provisions prior to the meeting.

Board and Panel

All references to the term "Board" shall also mean "Panel" when certain Board members are meeting as a panel in lieu of the Board members meeting *en banc*.

Members Assigned to Panels

The following members have been assigned to each panel pursuant to the agency's administrative rules:

<u>Panel</u>	<u>Presiding Officer</u>	<u>Member</u>	<u>Member</u>
A	Brent C. Eckersley, Esq.	Sandra Masters	Tammara M. Williams
B	Michael J. Smith	Sandra Masters	Tammara M. Williams
C	Michael J. Smith	Sandra Masters	Michael A. Urban, Esq.
D	Brent C. Eckersley, Esq.	Michael J. Smith	Michael A. Urban, Esq.
E	Brent C. Eckersley, Esq.	Tammara M. Williams	Michael A. Urban, Esq.

Closed Session

The Board or Panel may go into closed session pursuant to NRS 288.220 or NRS 288.590 for consideration/discussion of any complaint, petition or appeal herein noticed. Any motion to go into closed session may include one or more items on the agenda in the motion. The Board or Panel will return to open session for final adjudication.