

STATE OF NEVADA

JOE LOMBARDO
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Members of the Board
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MICHAEL J. SMITH, Vice-Chair
SANDRA MASTERS, Board Member
TAMMARA M. WILLIAMS, Board Member
MICHAEL A. URBAN, Board Member



DR. KRISTOPHER SANCHEZ
Director

BRUCE K. SNYDER
Commissioner

MARISU ROMUALDEZ ABELLAR
Executive Assistant

DEPARTMENT OF BUSINESS AND INDUSTRY
GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

January 16, 2024

**MINUTES OF THE MEETING OF THE GOVERNMENT
EMPLOYEE-MANAGEMENT RELATIONS BOARD**
(Meeting No. 24-01)

A meeting of the Board sitting *en banc*, as well as Panel B and Panel C, of the Government Employee-Management Relations Board, properly noticed and posted pursuant to the Nevada Open Meeting Law, was held on Monday, January 8, 2024 at 8:15 a.m.; and continuing on Tuesday, January 9, 2024 at 8:15 a.m.; and continuing on Wednesday, January 10, 2024 at 8:15 a.m.; and continuing on Thursday, January 11, 2024 at 8:15 a.m.; and continuing on Friday, January 12, 2024 at 8:15 a.m. The meeting was held in the Carl Dodge Conference Room, located in the EMRB Office on the fourth floor of the Nevada State Business Center, 3300 W. Sahara Avenue, Las Vegas, NV 89102. The meeting was also held virtually using a remote technology system called WebEx.

The following Board members were present:

Brent C. Eckersley, Esq., Chair
Michael J. Smith, Vice-Chair
Sandra Masters, Board Member
Tammara M. Williams, Board Member
Michael A. Urban, Esq., Board Member

Also present:

Bruce K. Snyder, Commissioner
Marisu Romualdez Abellar, Executive Assistant
Isabel Franco, Administrative Assistant II
Samuel Taylor, Esq., Attorney General's Office

Members of the Public Present:¹

Corrine Cosentino, State of Nevada LRU
Matthew Lee, State of Nevada LRU
Janice Willhite, State of Nevada LRU

¹ This does not include the attorneys of record or witnesses for agenda items 3 and 12 unless they also appeared before the Board for another agenda item.

Lisa Manly, State of Nevada LRU
Kristen Anderson, State of Nevada DHRM
Nadia Tung, State of Nevada LRU
Fernando Colon, AFSCME
Beverly Ghan, State of Nevada DHRM
Stacey Dunlap, State of Nevada DHRM
Dolly Cabrera, State of Nevada DHHS
Taylor Chambers, State of Nevada, NDF
Colbee Riordan, WSPA
Dan Kirk
Jim Verdi

The agenda:

The Board Sitting *En Banc*
(Presiding Officer Eckersley)

The following 9 items were for consideration by the full Board:

1. Opening Items

The meeting was called to order on Monday by Chair Eckersley at 8:15. On roll call Chair Eckersley, Board Member Masters and Board Member Urban were present. Thus, a quorum was present. The Pledge of Allegiance was recited followed by a moment of silence.

The meeting was called to order on Tuesday by Chair Eckersley at 8:15. On roll call Chair Eckersley, Board Member Masters and Board Member Urban were present. Thus, a quorum was present.

The meeting was called to order on Wednesday by Chair Eckersley at 8:15 a.m. On roll call all the members of the Board were present. Thus, a quorum was present.

The meeting was called to order on Thursday by Presiding Officer Williams at 8:15 a.m. On roll call Presiding Officer Williams, Board Member Masters and Board Member Urban were present. Thus, a quorum was present.

The meeting was called to order on Friday by Presiding Officer Williams at 8:15 a.m. On roll call Presiding Officer Williams, Board Member Masters and Board Member Urban were present. Thus, a quorum was present.

2. Public Comment

No public comment was offered on any of the five days of the meeting.

3. **Case 2023-022**
In re: The Assignment of Executive Department Job Classifications To Bargaining Units Pursuant to Senate Bill 166 of the 82nd Session of the Nevada Legislature
The hearing on the case was held, including the sub-hearings for Unit L, Unit M and Unit O. Post-hearing briefs will be due for Unit L 30 days upon receipt of the transcript. Oral closing arguments were given for Unit M and Unit O in lieu of post-hearing briefs. The Board will deliberate on all three units of the case upon receipt of the post-hearing briefs.
4. **Approval of the Minutes**
Upon motion, the Board approved the minutes of the meeting held December 12-14, 2023.
5. **Setting of Board Meeting Dates**
Upon motion, the Board set the additional meeting dates: May 20-21, 2024 and; June 10-11, 2024.
6. **Case 2023-026**
AFSCME, Local 4041 v. State of Nevada, Executive Department, Joe Lombardo, in his official capacity as the Governor of the State of Nevada including Counterclaim
Upon motion, the Board granted a hearing in the case. The case was then randomly assigned to Panel E and the case assigned to the May meeting. Thereupon Board Member Urban stated he was unavailable for that meeting and thus Vice-Chair Smith was randomly assigned to the panel for this hearing to replace Board Member Urban.
7. **Case 2023-019**
AFSCME, Local 4041 v. State of Nevada, Department of Veterans Services, Southern Nevada State Veterans Home
Pursuant to the request of the parties who have agreed to mediation, the Board, upon motion, agreed to place a hold on the case for 60 days, or sooner should the parties notify the Commissioner otherwise.
8. **Case 2023-029**
AFSCME, Local 4041 v. State of Nevada, Department of Veterans Services, Southern Nevada Veterans Home
Pursuant to the request of the parties who have agreed to mediation, the Board, upon motion, agreed to place a hold on the case for 60 days, or sooner should the parties notify the Commissioner otherwise.
9. **Show Cause Hearings for Entities Not Filing Reports**
Commissioner Snyder stated that all the annual reports have now been filed and thus this item is moot.

Panel B (Modified)
(Williams, Masters, Urban)

The following 1 item was for consideration by Panel B:

10. **Case 2023-009**
Clark County Education Association v. Clark County School District and Intervenor Education Support Employees Association
This agenda item was for Board Members Williams, Masters, and Urban. Pursuant to NAC 288.271(2)(c), the Commissioner had randomly selected Board Member Urban to take the place of Vice-Chair Michael J. Smith, who was unavailable. Pursuant to NAC 288.271(3) the presiding officer was Board Member Williams. The Panel deliberated on the Motion for Sanctions, and upon motions, came to the following decisions (1) that the Motion for Sanctions is denied and (2) that the Panel finds in favor of the Respondent and Intervenor as there was a lack of evidence that Teamsters Local 14 was negotiating separately with the Respondent and also had an agreement with the Education Support Employees Association for servicing the members of ESEA and that Superintendent Jara was not on the negotiating team.

Panel C
(Smith, Masters, Urban)

The following 1 item is for consideration by Panel C:

11. **Case 2023-010**
Clark County Education Association v. Clark County School District
The Panel deliberated on the petition for declaratory order pursuant to the stipulation approved by the Board on December 14, 2023, and upon motion, and found in favor of the Respondent on the issue presented for deliberation. The basis for the decision will be in the written order.

The Board Sitting *En Banc*
(Presiding Officer Eckersley)

The following 3 items were for consideration by the full Board:

12. **Consolidated Case 2023-024 (with 2023-031)**
Washoe County School District v. Washoe School Principals' Association and Washoe School Principals' Association v. Washoe County School District
The hearing on the case was held. Upon conclusion of the hearing the Board deliberated on the case but came to no decision.

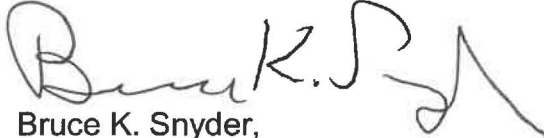
13. Additional Period of Public Comment

No public comment was offered on any of the days of the meeting.

14. Adjournment

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

Respectfully submitted,

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

Bruce K. Snyder,
EMRB Commissioner