ITEM NO. 203

BEFORE THE LOCAL GOVERNMENT

EMPLOYEE-MANAGEMENT RELATIONS BOARD

CLARK COUNTY CLASSROOM TEACHERS ASSOCIATION, Complainant, v. BOARD OF TRUSTEES OF THE CLARK COUNTY SCHOOL DISTRICT and CLARK COUNTY SCHOOL DISTRICT, Defendants.	CASE NO. A1-045408 ORDER OF DISMISSAL

For the Complainant: GEORGANNE WERT, ESQ.

For the Respondent: THOMAS J. MOORE, ESQ.

For the EMRB Board: TAMARA BARENGO, JEFFREY L, ESKIN, SALVATORE C. GUGINO

This matter came on for regular hearing at the hour of 9:45 a.m. on September 9, 1987, pursuant to proper notice and Nevada's Open Meeting Law.

In general, the parties were at odds over the issue of whether the Clark County Classroom Teacher's Association (CCCTA) had a protected right to place identifying stickers or decals on mail boxes provided by the Defendants School Board and School District for daily use by teachers. Apparently, and by admission of all parties, this matter had been the subject of a grievance and arbitration procedure pursuant to Article 4 of the Agreement between the Clark County School District and the Clark County Classroom Teachers Association but had not advanced through all the appropriate steps. Instead, a complaint was filed by the CCCTA on February 11, 1986.

Through testimony in the hearing, it became apparent to the Board that the parties went from the second step of their arbitration procedure directly to the EMRB in violation of their own Agreement. This is improper, and the Board has determined that it will not make a decision in this matter and will, therefore, dismiss the case. Although the Board is required, from time to time, to review contractual provisions in resolving an interest arbitration (see, Nevada Classified School Employee's Association v. Clark County School District, Case No. A1-045336, Item No. 105), it will not, in general, conduct grievance arbitration matters for parties under Chapter 288 of the Nevada Revised Statutes. The matter is therefore remanded back to the parties by this Board without ruling upon the merits of the issue presented, with each party to bear its own costs and fees.

DATED this 16th day of March, 1988.

LOCAL GOVERNMENT EMPLOYEE-
MANAGEMENT RELATIONS BOARD

By _____
SALVATORE C. GUGLIMO, Chairman

By _____
TAMARA BARENGO, Vice Chairman

By _____
JEFFREY L. ESKIN, Member

Certified copies:
Georganne Wert, Esq.
Thomas J. Moore, Esq.

Copies to: Clark County School District
Clark County Classroom Teachers Assn.
Board Members
Interested Parties