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STATE OF NEVADA
LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

4 WATER EMPLOYEES ASSOCIATION,) ITEM NO. 245
5 Complainant,) CASE NO. A1-045454
6 -vs-) DECISION
7 LAS VEGAS VALLEY WATER)
8 DISTRICT,)
9 Respondent.)

10 For Complainant: Patricia S. Waldeck, Esq.

11 For Respondent: Gregory E. Smith, Esq.
SMITH & KOTCHKA

12 STATEMENT OF THE CASE

13 On August 22, 1989, Complainant Water Employees
14 Association ("Union") brought this complaint against the Las
15 Vegas Valley Water District ("District") alleging that the
16 District implemented changes in the group health insurance
17 plan including an increased premium deduction for dependent
18 coverage on July 1, 1989 without negotiating those changes
19 with the Union and further, that the District discriminated
20 against Union members by paying the increased dependent
21 premiums for employees not represented by the Union.

22 On April 27, 1990, the parties appeared before the Local
23 Government Employee-Management Relations Board ("Board") at a
24 regularly held public meeting in Las Vegas requesting that the
25 Board render a decision in this matter based on the
26 Stipulation of Facts and Exhibits, Prehearing Statements and
27 exhibits previously filed. The Board granted the request and
28

1 waived a hearing on the matter.

2 On May 18, 1990, at a regularly held public meeting,
3 duly noticed and posted pursuant to NRS Chapter 241, the
4 Board, based on due deliberation of the evidence and argument
5 presented, dismissed the Complaint.

6 DISCUSSION

7 I

8 THIS MATTER IS MOOT BECAUSE THE
9 FACTFINDER PREVIOUSLY AWARDED ALL
BENEFITS BEING SOUGHT BY THE UNION.

10 On July 24, 1989, the Union filed a grievance over the
11 withholding of the increased health insurance premiums,
12 utilizing Articles 5 and 6 of the expired labor agreement
13 between the parties which provided for a three-step grievance
14 procedure and for final and binding arbitration. Although the
15 Union pursued the grievance through the three-step procedure
16 and filed its notice of intent to arbitrate, the Union chose
17 not to proceed to arbitration. Instead, the Union brought the
18 matter before this Board in the form of this complaint on
19 August 22, 1989.

20 On December 18, 1989, in a separate action, the Union
21 and the District submitted their contract negotiations
22 dispute, including this matter, to factfinder Joseph F.
23 Gentile. On February 3, 1990, Mr. Gentile issued his final
24 and binding award which included an order that the District
25 reimburse the employees represented by the Union for the
26 increased premiums which had been deducted from their
27 paychecks between July 11, 1989 and January 1, 1990. This

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matter is moot, and the Board, therefore, declines to rule on the merits of this complaint.

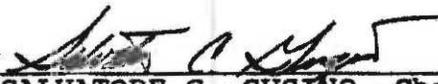
ORDER

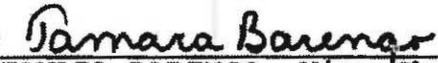
IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. That the Union's Complaint, be, and hereby is, dismissed with prejudice.

DATED this 11th day of June, 1990.

LOCAL GOVERNMENT EMPLOYEE-
MANAGEMENT RELATIONS BOARD

By 
SALVATORE C. GUGINO, Chairman

By 
TAMARA BARENGO, Vice Chairman

By 
HOWARD ECKER, Member