

1 STATE OF NEVADA
2 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

3 CLARK COUNTY,)
4 Petitioner;) ITEM NO. 376-A
5 CLARK COUNTY PROFESSIONAL)
TRADEWORKERS ASSOCIATION,) CASE NO. A1-045597
6 Applicant; and) ORDER OF DISMISSAL,
7 SERVICE EMPLOYEES INTERNATIONAL) WITHOUT PREJUDICE
UNION, LOCAL 1107,)
8 Intervenor.)

9 For Petitioner: Mitchell M. Cohen, Esq.
10 CLARK COUNTY DISTRICT ATTORNEY'S OFFICE

11 For Applicant: Leslie M. Stovall, Esq.

12 For Intervenor: James G. Varga, Esq.
VAN BOURG, WEINBERG, ROGER & ROSENFELD

13 On January 23, 1996, pursuant to NAC 288.143, the Petitioner
14 filed a request for a hearing before the Board to challenge the
15 sufficiency of the application for recognition filed by the Clark
16 County Professional Tradeworkers Association, Applicant
17 (hereinafter referred to as CCPTA), which was received by the
18 Petitioner on January 11, 1996.

19 At its regularly scheduled meeting of March 14, 1996,
20 noticed pursuant to Nevada's Open Meeting Law, the Board heard
21 oral argument from counsel for all interested parties, and
22 determined that CCPTA's application for recognition was not filed
23 during either of the two window periods established by the Board
24 in Douglas County Support Staff Organization/NSEA vs. Nevada
25 Classified School Employees Association, Chapter 6, Case No. A1-
26 045535 (Item No. 313), dated May 13, 1993; which window periods
27 subsequently were incorporated into NAC 288, effective March 11,
28 1996, as Sec.2., 2.(a) and (b). The "contract bar doctrine",

1 adopted by the Board in Reno Police Protective Association vs.
2 City of Reno, Case No. A1-045338, Item No. 120 (September 30,
3 1981) and Lander County Board of Commissioners vs. Lander County
4 Law Enforcement Employees Assn., Case No. A1-045443, Item No. 223
5 (June 1989), prohibits an employer from entertaining claims or
6 requests for recognition from a competing employee organization
7 during the term of an existing labor agreement, **except during the**
8 **two aforementioned window periods.**

9 For the reason(s) set forth above, it is

10 HEREBY ORDERED, ADJUDGED AND DECREED that the application
11 for recognition filed by CCPTA and received by the Petitioner on
12 January 11, 1996, be, and hereby is, dismissed without prejudice.

13 DATED this 6th day of March, 1996.

14 Local Government Employee-Management
15 Relations Board

16 By: Christopher Voisin
17 CHRISTOPHER VOISIN, Chairman

18 By: Tamara Barengo
19 TAMARA BARENGO, Vice Chairman

20 By: David Goldwater
21 DAVID GOLDWATER, Member

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