

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

4 LAS VEGAS CONSTABLES ASSOCIATION,)
5 Complainant,) ITEM NO. 379
6 vs.) CASE NO. A1-045600
7 LAS VEGAS CONSTABLE'S OFFICE) ORDER
8 Respondent.)

9 For Complainant: Leslie Mark Stovall, Esq.

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

12 On March 11, 1996, the Board received a Complaint and a
13 Verified Motion for Injunctive Relief from the LAS VEGAS
14 CONSTABLES ASSOCIATION, alleging that various unlawful and
15 prohibited practices have been and are being committed by Las
16 Vegas Constable Bob Nolan and asking the Board to enjoin "further
17 retaliatory acts by Nolan or any other member of Clark County
18 during the deputies organizational efforts or membership in the
19 Las Vegas Constables Association pursuant to NRS 288.110 (2),
20 288.140 (1), 288.271 (1)(a), 288.270 (1)(c) and 288.270 (d).".
21 On March 13, 1996, LAS VEGAS CONSTABLE'S OFFICE filed its
22 Opposition to Verified Motion for Injunctive Relief, alleging, in
23 pertinent part, that the Constable is not a Local Government
24 Employer subject to NRS Chapter 288, therefore, the Board has no
25 jurisdiction over the Constable or his deputies; injunctive
26 relief is beyond the scope of the Board's authority; there is no
27 basis for injunctive relief (there is no immediate and
28 irreparable harm and there is no showing of a reasonable

1 probability of success on the merits) and the remedy requested is
2 a vague and unwarranted interference in the operation of the
3 constable's office.

4 On March 20, 1996, pursuant to a special meeting noticed
5 pursuant to Nevada's Open Meeting Law, the Board heard oral
6 argument regarding the aforesaid Verified Motion for Injunctive
7 Relief. After due deliberation, the Board determined as follows:

- 8 1. The Board does have jurisdiction over the parties and
9 the instant dispute, pursuant to the provisions of NRS
10 Chapter 288.
- 11 2. The Las Vegas Constable's Office (Respondent) is a
12 "Local government employer" as defined by the
13 provisions of NRS 288.060.
- 14 3. The Deputies employed by the Las Vegas Constable's
15 Office and/or members of the Las Vegas Constables
16 Association, are "Local government employees" as
17 defined by NRS 288.050.
- 18 4. The Local Government Employee-Management Relations
19 Board has the authority, pursuant to NRS 288.110, to
20 grant injunctive relief and/or temporary restraining
21 orders.
- 22 5. That argument and/or evidence regarding the
23 Complainant's request (or Motion) for injunctive relief
24 will be heard and considered together with a hearing on
25 the merits of the Complaint, to be conducted on
26 Thursday, April 18, 1996.

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6. That an expedited briefing schedule is established which will require the parties to file their respective Pre-Hearing Statements on or before April 11, 1996.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as set forth above.

DATED this 27th day of March, 1996.

LOCAL GOVERNMENT EMPLOYEE-
MANAGEMENT RELATIONS BOARD

BY *Christopher W. Voisin*
CHRISTOPHER W. VOISIN, Chairman

BY *Tamara E. Barengo*
TAMARA BARENGO, Vice Chairman

BY *David Goldwater*
DAVID GOLDWATER, Member