

1 STATE OF NEVADA  
2 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT  
3 RELATIONS BOARD  
4

5 RENO POLICE PROTECTIVE )  
6 ASSOCIATION, )  
7 Complainant, )

7 vs. )

8 RENO POLICE DEPARTMENT, )  
9 CITY OF RENO, )  
10 Respondents. )

ITEM NO. 415A

CASE NO. A1-045626

ORDER DISMISSING  
PROHIBITED PRACTICES  
COMPLAINT

11 For Complainant: Michael E. Langton, Esq.  
12 LANGTON & YENKO

13 For Respondents: Donald L. Christensen, Esq.  
14 CITY OF RENO

15 Pursuant to deliberations on August 25, 1999, by the Local Government Employee-  
16 Management Relations Board (hereafter "Board"), noticed in accordance with Nevada's Open  
17 Meeting Law, this matter came on for deliberations and/or adjudication, and the Board found:

18 On or about June 7, 1997, a complaint was filed by complainant Reno Police Protective  
19 Association (hereafter referred to as "Association"), in the above-entitled and numbered matter,  
20 through its counsel Michael E. Langton, Esq., alleging prohibited practices by the Reno Police  
21 Department (hereafter referred to as the "Department") and the City of Reno (hereafter referred to as  
22 the "City").

23 On or about July 7, 1997, an answer was filed on behalf of the City and the Department.

24 On or about August 5, 1997, Respondents' prehearing statement was filed and the  
25 Complainant's prehearing statement was filed on or about September 2, 1997.

26 Thereafter, deliberations were held by the Board on October 23, 1997, which was also noticed  
27 in accordance with Nevada's Open Meeting Law, and an order was entered as Item No. 415 on  
28 November 12, 1997, remanding the matter to the grievance-arbitration process initiated by the  
Association pursuant to the "limited deferral doctrine."

1 That order further requested the parties to "report to the Board within 30 days from the  
2 exhaustion of said remedies [and] to notify the Board whether the Board should consider hearing any  
3 remaining issue(s) from the instant complaint, or whether the parties will stipulate to a dismissal, or  
4 whether any other action must be taken."

5 That since the entry of that November, 1997, order, the parties have failed to notify the Board  
6 of the action they wish to take, as well as failed to report to the Board as to the status of the  
7 grievance and/or arbitration process.

8 That pursuant to NAC 288.210(3), if a "complainant, within a reasonable time, fails to  
9 prosecute its complaint," that Board may dismiss the same.

10 Therefore, based upon the above-cited recitation of events,

11 IT IS HEREBY ORDERED that the parties to this action must file with this Board by  
12 September 25, 1999, the applicable document mandated by Order, Item #415, so appropriate action  
13 may be taken in this matter, as a reasonable period of time has elapsed within which complainant  
14 should have diligently pursued its complaint herein.

15 IT IS FURTHER ORDERED that should the parties fail to file any document with the Board  
16 concerning the status of the grievance-arbitration process in this matter and/or the parties' intentions  
17 concerning pursuing this matter before this Board, then in such an event, and only in such an event,  
18 this matter will be immediately dismissed pursuant to NAC 288.210(3).

19 DATED this 25<sup>th</sup> day of August 1999.

20 LOCAL GOVERNMENT EMPLOYEE-  
21 MANAGEMENT RELATIONS BOARD

22 By David Goldwater  
23 DAVID GOLDWATER, Chairman

24 By Karen L. McKay  
25 KAREN L. MCKAY, Vice-Chairman

26 By James E. Wilkerson, Sr.  
27 JAMES E. WILKERSON, SR., Member  
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