

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

5 **CITY OF SPARKS,**
6 **Petitioner,**

7 vs.

8 **OPERATING ENGINEERS, LOCAL NO. 3,**
9 **OF THE INTERNATIONAL UNION OF**
10 **OPERATING ENGINEERS, AFL-CIO,**
11 **Respondent.**

ITEM NO. 447-A

CASE NO. A1-045658

ORDER

12 For Petitioner: **Charles P. Cockerill, Esq.**

13 For Respondent: **Pete Ford**

14 On February 23, 1999, the Operating Engineers Local Union No. 3 of the International Union
15 of Operating Engineers, AFL-CIO (hereinafter referred to as the "Union"), through its representative
16 Pete Ford, requested recognition from the City of Sparks of a separate bargaining unit of certain
17 employees with the Truckee Meadows Water Reclamation Facility, separate from the general
18 bargaining unit currently in effect between the parties. The City of Sparks, through its representative,
19 Charles P. Cockerill, Esq., claims that the current "wall-to-wall" non-public safety bargaining unit is
20 appropriate based on the employees' community of interest and the City of Spark's desire not to have
21 a proliferation of small bargaining units which will increase bargaining time and expenses associated
22 therewith.

23 On March 18, 1999, briefs were ordered from the parties on two issues, namely: (1) whether
24 the "community of interest" for all employees represented by the union employed with the City of
25 Sparks require the bargaining units to remain status quo; or (2) whether, in light of circumstances,
26 it would be in the "community of interest" of all employees for a new bargaining unit to be carved
27 out for the employees of the Truckee Meadows Water Reclamation Facility.

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1 Pursuant to the Local Government Employee-Management Relations Board's deliberations
2 at its meeting on August 25, 1999, noticed pursuant to the Nevada's Open Meeting Law, and based
3 upon the deliberations on the parties' arguments,

4 IT IS HEREBY ORDERED that:

5 1. The wall-to-wall representation by Respondent of the Petitioner's employees is
6 appropriate and the unit should not be modified as requested, and that

7 2. The community of interest of all employees would be best achieved through the
8 denial of the Respondent's request for a new, separate bargaining unit for employees at the Truckee
9 Meadows Water Reclamation Facility in Sparks, Nevada.

10 DATED this 16 day of September, 1999.

11 LOCAL GOVERNMENT EMPLOYEE-
12 MANAGEMENT RELATIONS BOARD

13 By David Goldwater
14 DAVID GOLDWATER, Chairman

15 By Karen L. McKay
16 KAREN L. MCKAY, Vice-Chairperson

17 By James E. Wilkerson, Sr.
18 JAMES E. WILKERSON, SR., Member