

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

5 INTERNATIONAL BROTHERHOOD OF)
6 TEAMSTERS, LOCAL 14, AFL-CIO,)
7 Petitioner,)

ITEM NO. 520A

7 vs.)

CASE NO. A1-045735

8 CLARK COUNTY SCHOOL DISTRICT and)
9 EDUCATION SUPPORT EMPLOYEES)
10 ASSOCIATION)
11 Respondents.)

ORDER

11 For Complainant: Lewis N. Levy, Esq.
12 Levy, Stern & Ford

13 For Respondent: C.W. Hoffman, Esq.
14 Clark County School District

15 Sandra G. Lawrence, Esq.
16 Dyer, Lawrence, Cooney & Penrose

17 On January 29, 2002, Petitioner INTERNATIONAL BROTHERHOOD OF
18 TEAMSTERS, LOCAL 14, AFL-CIO (hereafter "Teamsters") filed an Application for Order
19 Convening an Administrative Hearing for the Purpose of Determining Whether to Conduct an
20 Election Pursuant to NRS 288.160, NAC 288.145 and NAC 288.146(1) and (2) with the Local
21 Government Employee-Management Relations Board (hereafter "Board"). Respondent CLARK
22 COUNTY SCHOOL DISTRICT (hereafter "District") filed their answer on February 20, 2002.

23 On May 1, 2002, Respondent EDUCATION SUPPORT EMPLOYEES ASSOCIATION
24 (hereafter "Association") filed a Petition for Reconsideration, or in the Alternative, Clarification
25 of the Order Denying Motion to Dismiss. An opposition was filed on May 13, 2002, by
26 Teamsters.

27 On May 10, 2002, the Association filed an Answer and Counterclaim. On May 31, 2002,
28 Teamsters filed a Motion to Dismiss Counterclaim and on May 24, 2002, the District filed a
Motion to Dismiss Portions of the Counterclaim.

1 The Board deliberated on said motions and petition on June 18, 2002, noticed in
2 accordance with Nevada's Open Meeting Law. Based upon Respondent's request,

3 IT IS HEREBY ORDERED that the Petition for Reconsideration is denied. Learned
4 counsel's attention is directed to NRS 288.090(1) that two members equal a quorum and NRS
5 233B.125 requires findings of fact and conclusions of law only in a final order; the order
6 complained of by the Association is merely an interlocutory order without such formal
7 requirements.

8 IT IS FURTHER ORDERED that the motions filed by the Teamsters and the District are
9 hereby denied as to the third cause of action in the Association's counterclaim, but granted as to
10 the first and second causes of action of the counterclaim.

11 DATED this 18th day of June, 2002.

12 LOCAL GOVERNMENT EMPLOYEE-
13 MANAGEMENT RELATIONS BOARD

14 BY: 
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16 JOHN E. DICKS, ESQ., Chairman

17 BY: 
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19 JANET TROST, ESQ., Member
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