

JAN 20 2016

STATE OF NEVADA  
E.M.R.B.

STATE OF NEVADA

LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT

RELATIONS BOARD

INTERNATIONAL BROTHERHOOD OF ) CASE NO. A1-045735  
TEAMSTERS, LOCAL 14, AFL-CIO, )

Petitioner, ) **ORDER**

vs. ) **ITEM NO. 520T**

CLARK COUNTY SCHOOL DISTRICT, and )  
EDUCATION SUPPORT EMPLOYEES )  
ASSOCIATION, )

Respondents. )

EDUCATION SUPPORT EMPLOYEES )  
ASSOCIATION, )

Counter Claimant, )

vs. )

INTERNATIONAL BROTHERHOOD OF )  
TEAMSTERS, LOCAL 14, AFL-CIO, and )  
CLARK COUNTY SCHOOL DISTRICT, )

Counter Respondents. )

On January 11, 2016, this matter came on before the State of Nevada, Local Government Employee Management Relations Board ("Board") for consideration and decision pursuant to the provisions of the Local Government Employee-Management Relations Act ("the Act") and NAC Chapter 288.

This matter concerns the representation of the bargaining unit of support staff employees of the Clark County School District ("bargaining unit"). The bargaining unit has been represented by the Education Support Employees Association ("ESEA"). Pursuant to our prior order in this matter, the Commissioner has conducted the second discretionary runoff election. The results of the election were reported to the Board through the Tally of Ballots, which is

1 attached hereto. The Tally of Ballots indicates that the International Brotherhood of Teamsters,  
2 Local 14 (“Local 14”) received a majority of votes cast in the election.

3 NAC 288.110(8) permits a party to an election to file an objection to “the conduct of the  
4 election or conduct affecting the results of the election.” ESEA filed an objection to the election  
5 on the basis that the election was not within the Board’s authority. Having considered ESEA’s  
6 objection, the Board hereby overrules the objection. We find that this election is within our  
7 authority under the Act and that use of the majority of votes cast standard is warranted for the  
8 reasons stated in Item No. 520Q. No other objections were filed.

9 The Board is cognizant of the logistics affecting a change in bargaining agent of a unit  
10 this size, and the Board finds that a delayed effective date of 30 days is appropriate in order to  
11 permit Local 14 and the School District time to make arrangements for a change in bargaining  
12 agent. Given the unusual and excessive length of time that has elapsed since this matter was first  
13 presented to the Board, we also find that it is appropriate for Local 14 to update and resubmit the  
14 information required by NRS 288.160(1) to the School District, with a copy of said information  
15 submitted to the Commissioner of the EMRB.

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///


28 ///

1 Based upon the foregoing and the Tally of Ballots attached hereto, it is hereby certified  
2 that a majority of the valid ballots have been cast for the International Brotherhood of Teamsters,  
3 Local 14 and that the same shall be the exclusive collective bargaining representative of the  
4 employees in the bargaining unit, effective upon the later of 30 days from the date of this written  
5 order or submission to the Clark County School District of the material required by NRS  
6 288.160(1).

7 DATED the 20<sup>th</sup> day of January, 2016.

8 LOCAL GOVERNMENT EMPLOYEE-  
9 MANAGEMENT RELATIONS BOARD

10 BY:   
11 PHILIP E. LARSON, Chairman

12 BY:   
13 BREN C. ECKERKSELEY, ESQ.,  
14 Vice-Chairman

15 BY:   
16 SANDRA MASTERS, Board Member

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

STATE OF NEVADA  
LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT  
RELATIONS BOARD

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

CASE NO. A1-045735

**NOTICE OF ENTRY OF ORDER**

vs. )

CLARK COUNTY SCHOOL DISTRICT, and )  
EDUCATION SUPPORT EMPLOYEES )  
ASSOCIATION, )  
Respondents. )

EDUCATION SUPPORT EMPLOYEES )  
ASSOCIATION, )  
Counter Claimant, )

vs. )

INTERNATIONAL BROTHERHOOD OF )  
TEAMSTERS, LOCAL 14, AFL-CIO, and )  
CLARK COUNTY SCHOOL DISTRICT, )  
Counter Respondents. )

To: Education Support Employees Association and their attorneys Michael W. Dyer, Esq., Frank Flaherty, Esq. and Dyer, Lawrence, Flaherty, Donaldson & Prunty

To: International Brotherhood of Teamsters, Local 14 and their attorneys Kristin L. Martin, Esq. and Davis, Cowell & Bowe. LLP

To: Clark County School District and their attorneys Scott Greenberg, Esq., Office of the General Counsel for the Clark County School District

PLEASE TAKE NOTICE that an ORDER was entered in the above-entitled matter on January 20, 2016. A copy of said order is attached hereto.

DATED this 20<sup>th</sup> day of January, 2016.

LOCAL GOVERNMENT EMPLOYEE-  
MANAGEMENT RELATIONS BOARD

By: 

MARISU ROMUALDEZ ABELLAR  
Board Secretary

**CERTIFICATE OF MAILING**

I hereby certify that I am an employee of the Local Government Employee-Management Relations Board, and that on the 20<sup>th</sup> day of January, 2016, I served a copy of the foregoing ORDER by mailing a copy thereof, postage prepaid to:

Michael W. Dyer, Esq.  
Frank Flaherty, Esq.  
Dyer, Lawrence, Flaherty, Donaldson & Prunty  
2805 Mountain Street  
Carson City, NV 89703

Kristin L. Martin, Esq.  
Davis, Cowell & Bowe, LLP  
595 Market Street, Suite 1400  
San Francisco, CA 94105

Scott Greenberg, Esq.  
Clark County School District  
5100 W. Sahara Avenue  
Las Vegas, NV 89146



---

MARISU ROMUALDEZ ABELLAR  
Board Secretary

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

NEVADA LOCAL GOVERNMENT  
EMPLOYEE-MANAGEMENT RELATIONS BOARD

International Brotherhood of Teamsters,  
Local 14, AFL-CIO,

Petitioner,

vs.

Case No. A1-045735

Clark County School District and Education  
Support Employees Association,

Respondents.

\_\_\_\_\_ /  
And related counter-claim  
\_\_\_\_\_ /

**FILED**

**DEC 07 2015**

**STATE OF NEVADA  
E.M.R.B.**

**TALLY OF BALLOTS**

As Commissioner of the Nevada Local Government Employee-Management Relations Board, I hereby certify that the results of the tabulation of ballots cast in the election held in the above-captioned matter, and concluded on the date set forth below, were as follows:

1. Number of Void Ballots Cast		<u>19</u>
No. of Ballots Cast by Termed/Quit Employees	<u>17</u>	
No. of Duplicate Ballots Cast	<u>2</u>	
2. Number of Ballots Challenged on the Ineligibility of the Voter		<u>22</u>
3. Number of Ballots Challenged Based on Alleged Defect in Ballot		<u>35</u>
No. of Challenges Sustained	<u>9</u>	
No. of Challenges Overruled in Favor of ESEA	<u>2</u>	
No. of Challenges Overruled in Favor of Teamsters	<u>24</u>	
4. Number of Valid Ballots Cast for ESEA		<u>970</u>
No. of Unchallenged Ballots Cast	<u>968</u>	
No. of Challenges Overruled in Favor of ESEA (from 3)	<u>2</u>	
5. Number of Valid Ballots Cast for Teamsters		<u>4349</u>
No. of Unchallenged Ballots Cast	<u>4325</u>	
No. of Challenges Overruled in Favor of Teamsters (from 3)	<u>24</u>	
6. Number of Valid Ballots Cast (sum of 4 and 5)		<u>5319</u>

(BLL)

FF  
KLL

Dated: December 5, 2015.

By the Commissioner Bruce K. Snyder  
Bruce K. Snyder

We acknowledge receipt of a copy of this tally:

Teamsters Local 14

Clark County School District

Education Support  
Employees Association

By [Signature]

By [Signature]  
12/7/15

By [Signature]