

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

5 EDUCATION SUPPORT EMPLOYEES)
6 ASSOCIATION,)

7 Complainant,)

8 vs.)

9 CLARK COUNTY SCHOOL DISTRICT,)

10 Respondent.)

ITEM NO. 541

CASE NO. A1-045765

ORDER

11 For Complainant: Michael W. Dyer, Esq.
12 Dyer, Lawrence, Penrose, Flaherty & Donaldson

13 For Respondent: C.W. Hoffman, Esq.

14 On May 20, 2003, Complainant EDUCATION SUPPORT EMPLOYEES
15 ASSOCIATION (hereinafter "Association") filed a Prohibited Practices Complaint with the
16 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS BOARD (hereinafter
17 "Board").

18 On May 21, 2003, the Association filed a Motion for Interim Order Compelling the
19 District to Produce Information Pursuant to NRS 288.180 or, in the alternative, for an Expedited
20 Hearing.

21 On June 3, 2003, Respondent CLARK COUNTY SCHOOL DISTRICT (hereinafter
22 "District") filed an Opposition to Motion to Compel the Production of Information.

23 On June 4, 2003, the Board heard oral arguments on said motion, noticed in accordance
24 with Nevada's Open Meeting Law. Pursuant to the Board's deliberations,

25 In Clark Co. Public Employee Assoc. v. University Med. Center, Case No. A1-045501,
26 Item No. 299, this Board ruled that "[a]ccessibility of information is not one of the criteria set
27 forth in the statute for determining whether or not said information must be provided upon

28 ///

1 request. The statutory criteria is that such information be reasonable, related to a subject within
2 the scope of mandatory bargaining, necessary for and relevant to the negotiations.”

3 This Board has ruled previously in Reno Police Protective Assoc. v. City of Reno, Case
4 No. A1-045390, Item No. 175, that “[t]here is no question that subsection (2) of NRS 288.180
5 specifically requires that the employee organization be provided ‘reasonable information
6 concerning any subject matter included in the scope of mandatory bargaining which it deems
7 necessary for and relevant to the negotiations.’ Further, the statute requires that such information
8 be furnished without unnecessary delay.”

9 Such doctrines are applicable to the present matter; and the Board hereby ORDERS the
10 District to immediately provide to the Association “reasonable information concerning any
11 subject matter included in the scope of mandatory bargaining which” is necessary for and
12 relevant to the negotiations between the parties. Such information shall include, but is not
13 limited to the (1) census information found in the Association’s first request on page 1 and the
14 top portion of page 2 (e.g., age, sex, dependent information); (2) financial information, e.g.,
15 claims paid or claims information that is provided to the District from the health care provider;
16 and (3) utilization data, e.g., from the information provided by the health care provider as to the
17 number of doctors’ visits, hospital stays, etc.

18 IT IS FURTHER ORDERED that with the District’s provision of the 1% salary increase
19 information on June 3, 2003, that such issue is now moot for the purposes of this motion.

20 DATED this 4th day of June, 2003.

21 LOCAL GOVERNMENT EMPLOYEE-
22 MANAGEMENT RELATIONS BOARD

23 BY: 

24 JOHN E. DICKS, ESQ., Chairman

25 BY: 

26 TAMARA E. BARENGO, Member
27
28