

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

5 WASHOE COUNTY SHERIFF'S DEPUTIES)
6 ASSOCIATION,)

7 Complainant

8 vs.

9 WASHOE COUNTY SHERIFF'S OFFICE)
10 and WASHOE COUNTY,)

11 Respondents

ITEM NO. 552A

CASE NO. A1-045761

ORDER

11 For Complainant: Michael Langton, Esq.

12 For Respondent: Maureen Sheppard-Griswold, Washoe County District Attorney's
13 Office
For Washoe County.

14 Patrick D. Dolan, Esq.
15 For Washoe County Sheriff's Office

16 On April 21, 2003, Complainant WASHOE COUNTY SHERIFF'S DEPUTIES
17 ASSOCIATION (hereinafter "Association") filed a complaint with the LOCAL
18 GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS BOARD (hereinafter "Board")

19 On May 19, 2003, Respondent WASHOE COUNTY SHERIFF'S OFFICE and
20 WASHOE COUNTY (hereinafter "Washoe County") filed their answer. The parties filed their
21 respective Prehearing Statements on July 9, 2003 and July 1, 2003.

22 The Board entered an order on July 17, 2003. Complainant filed a response to the
23 Board's order on August 5, 2003.

24 The Board deliberated on whether to hear this complaint and the response on August 13,
25 2003, noticed in accordance with Nevada's Open Meeting Law. Based upon the deliberations,

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1 IT IS HEREBY ORDERED that although the Board feels its prior order in Item #552 is
2 unambiguous, this Board determined that Respondent has a right to "inspect, review, audit and
3 monitor employees' computer files" pursuant to County Code Section 5.340. This determination
4 arose while deliberating on whether to hear the complaint per NRS 288.110. Thus, any
5 allegation in the complaint referring to the Respondents' alleged review of any emails is stricken
6 from the complaint unless it is offered in support of Complainant's claims of alleged prohibited
7 labor practices.

8 The Board further orders that deferral is inappropriate at this time and this matter shall
9 proceed to hearing before this Board.

10 DATED this 13th day of August, 2003.

11 LOCAL GOVERNMENT EMPLOYEE-
12 MANAGEMENT RELATIONS BOARD

13 BY: 
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JANET TROST, ESQ., Chairman

15 BY: 
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TAMARA E. BARENGO, Vice-Chairman

17 BY: 
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19 JOHN E. DICKS, ESQ., Board Member
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