

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

5 NYE COUNTY SUPPORT STAFF
6 ORGANIZATION,

7 Complainant,

8 vs.

9 NYE COUNTY SCHOOL DISTRICT,

10 Respondent.

ITEM NO. 559B

CASE NO. A1-045754

ORDER

11 For Complainant: Francis C. Flaherty, Esq.
12 Dyer, Lawrence, Penrose, Flaherty & Donalson

13 For Respondent: Paul J. Anderson, Esq.
14 Walther, Key, Maupin, Oats, Cox & LeGoy

15 Briefly, on January 15, 2003, the Nye County Support Staff Organization (hereafter
16 "Organization") filed a complaint with the Local Government Employee-Management Relations
17 Board (hereafter "Board") alleging that the Nye County School District (hereafter "School
18 District") unilaterally changed working conditions pertaining to school bus drivers and routes,
19 affecting such employees' wages and insurance eligibility.

20 The School District filed its answer on February 7, 2003. On March 3, 2004, the
21 Organization filed its prehearing statement and on March 14, 2003, the School District filed its
22 prehearing statement.

23 On August 26, 2003, the Board held a hearing in this matter, noticed in accordance with
24 Nevada's Open Meeting Law, and on December 9, 2003, the Board entered its decision. That
25 decision is now the subject of a judicial review.

26 On January 5, 2004, the Organization filed with this Board its "Accounting of Attorneys'
27 Fees and Costs." On January 9, 2004, the School District then filed its Motion for Stay of
28 Administrative Decision. The Organization filed its Opposition to the Motion, and the School

1 District filed its Reply. On February 17, 2004, the Board entered an order denying Respondent's
2 Motion for Stay stating that the Board retains jurisdiction as to fees and costs.

3 On March 1, 2004, Respondent filed a "Response to EMRB's Extra Judicium Order
4 dated February 17, 2004; Memorandum of Points and Authorities." The Association filed an
5 Opposition to Motion for Reconsideration on March 12, 2004.

6 The Board deliberated on said documents on March 22, 2004, noticed in accordance with
7 Nevada's Open Meeting Law, and based thereon:

8 IT IS HEREBY ORDERED that the Board does not find grounds compelling it to revisit
9 the prior order/decision and the relief requested in Respondent's Response is denied.

10 IT IS FURTHER ORDERED that the complexity of this case does not support the full
11 amount requested and the Board awards the sum of \$19,500 for attorney fees and \$554.77 for
12 costs pursuant to NRS 288.110(6).

13 DATED this 22nd day of March, 2004.

14 LOCAL GOVERNMENT EMPLOYEE-
15 MANAGER ASSOCIATION BOARD

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17 BY: 
18 JANET TROST, ESQ., Chairman

19 BY: 
20 TAMARA BARENGO, Vice-Chairman

21 BY: 
22 JOHN E. DICKS, ESQ., Board Member
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