

1 STATE OF NEVADA
2 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
3 RELATIONS BOARD
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5 ELKO COUNTY DEPUTY SHERIFF'S
6 ASSOCIATION,

7 Complainant,

8 vs.

9 ELKO COUNTY SHERIFF'S OFFICE and
10 ELKO COUNTY,

11 Respondents.

ITEM NO. 587

CASE NO. A1-045806

ORDER

12 For Complainant: Mike Otterstrom, President
Elko County Deputy Sheriff's Association

13 For Respondent: Kristin A. McQueary, Esq.
Elko County District Attorney's Office
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15 On July 12, 2004, Complainant ELKO COUNTY DEPUTY SHERIFF'S
16 ASSOCIATION (hereafter "Association") filed a Prohibited Practices Complaint with the
17 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS BOARD (hereafter
18 "Board").

19 On July 29, 2004, Respondents ELKO COUNTY SHERIFF'S OFFICE and ELKO
20 COUNTY (hereafter "County") filed a Motion to Dismiss. The Association filed their
21 opposition on August 18, 2004.

22 The Board held deliberations on said motion on September 22, 2004, noticed in
23 accordance with Nevada's Open Meeting Law. Based upon the Board's deliberations,

24 IT IS HEREBY ORDERED that Respondent's Motion to Dismiss the Complaint is
25 DENIED.

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1 IT IS FURTHER ORDERED that because application of the limited deferral doctrine
2 adopted by this Board in I.A.F.F. #731 v. City of Reno, EMRB Item No. 257, Case No. A1-
3 045466 (February 15, 1991), is warranted here, this matter shall be and hereby is deferred for
4 exhaustion of the parties' contractual grievance arbitration remedies.

5 IT IS FURTHER ORDERED that the parties are to provide a written status report to the
6 Board within six (6) months from the date of this order. The parties shall also provide a written
7 report to the Board within thirty (30) days of the completion of the grievance arbitration process,
8 giving either an amended complaint or a stipulation to dismiss.

9 DATED this 22nd day of September, 2004.

10 LOCAL GOVERNMENT EMPLOYEE-
11 MANAGEMENT RELATIONS BOARD

12 BY: 
13 _____

14 JANE TROST, ESQ., Chairman

15 BY: 
16 _____

17 TAMARA E. BARENGO, Vice Chairman

18 BY: 
19 _____

20 JOHN E. DICKS, ESQ., Board Member
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