

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

5 RENO POLICE SUPERVISORY
6 AND ADMINISTRATIVE
7 EMPLOYEES ASSOCIATION,

8 Complainant,

9 vs.

10 THE CITY OF RENO,

11 Respondent.

)
) ITEM NO. 639A

)
) CASE NO. A1-045865

)
) **ORDER**
)

12 For Complainant: Michael E. Langton, Esq.

13 For Respondent: Donald L. Christensen, Esq.
14 Reno City Attorney's Office

15 Upon remand ordered by the District Court, this matter came on for deliberations and
16 decision by the Local Government Employee-Management Relations Board ("Board") on the
17 2nd day of November, 2007. Good cause appearing therefore, this Board finds, concludes, and
18 rules as follows:

19 This Board adopts, and incorporates herein, that decision entered by this Board on
20 December 18, 2006, in this matter.

21 The District Court's attention is directed to page 4 of that decision, and in particular, lines
22 3 through 6, in which this Board noted that it had:

23 [N]ot been presented with substantial evidence that leads them to believe that the
24 City [of Reno] intentionally designated the Deputy Chiefs as confidential
25 employees to undermine the Association, or the employee's rights to be part of, or
26 represented by the Association.

27 Based thereon, this Board makes the specific findings that the appointment of the Deputy
28 Chiefs to negotiators was not motivated by anti-union animus by the City; that the appointment
by the City was not a subterfuge by the city for purposes of destroying the specific bargaining

1 unit; and that such appears to be a proper utilization of a management right, or prerogative, in
2 this specific instance. This Board further finds that the assignment as a negotiator is not unusual
3 in this specific case in light of these officers' high rank within the Police Department.

4 The decision is further supplemented with the following conclusions:

- 5 1. That the Association did not provide substantial evidence that the appointment
6 of the Deputy Chiefs to the position of negotiators was based upon anti-union
7 animus; and
8 2. This specific appointment as negotiators in the instant case by the City appears
9 to be a proper utilization of a management prerogative or right.

10 Based upon these further deliberations as mandated by the District Court, this Board's
11 decision and order that the actions of the City in this matter did not constitute a prohibited labor
12 practice in violation of NRS Chapter 288, remain as previously found, concluded, and ordered.

DATED this 2nd day of November, 2007.

13 LOCAL GOVERNMENT EMPLOYEE-
14 MANAGEMENT RELATIONS BOARD

15 BY: 
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JAMES E. WILKERSON, SR., Chairman

17 BY: 
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JANET TROST, ESQ., Vice-Chairman

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