

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

5 NEVADA CLASSIFIED SCHOOL
6 EMPLOYEES ASSOCIATION, AFT/PSRP,
7 LOCAL 6181, AFL-CIO,

8 Complainant,

9 vs.

10 TRUCKEE-CARSON IRRIGATION
11 DISTRICT,

12 Respondent.

ITEM NO. 647A

CASE NO. A1-045895

ORDER

13 For Complainant: Michael E. Langton, Esq.

14 For Respondent: Robert L. Zaletel, Esq.
McQuaid Bedford & Van Zandt

15 The matter came on for discussion and deliberations by the Local Government
16 Employee-Management Relations Board ("Board") on 18th day of December, 2007, noticed
17 pursuant to NRS and NAC chapters 288, NRS chapter 233B, and Nevada's open meeting laws.

18 On November 29, 2006, the Nevada Classified School Employees Association,
19 AFT/PSRP, Local 6181, AFL-CIO ("Association") filed a complaint with the Board, alleging
20 prohibited labor practices by the Truckee-Carson Irrigation District ("District"). A motion to
21 dismiss was filed by the District on December 20, 2006, which motion was denied. The
22 Association also filed a motion requesting permission to conduct discovery, including
23 depositions, which motion was granted. The file does not reflect that either party engaged in any
24 discovery, including taking depositions of potential witnesses.

25 The District then filed its Answer on April 11, 2007. Prior to the commencement of the
26 administrative hearing in this action, the District filed a motion for summary judgment, which
27 the Association opposed. The motion was denied, without prejudice, and the matter proceeded
28 to hearing on November 13 and 14, 2007. The balance of the matter is to be heard by the Board.

1 on March 10 and 11, 2008. To date, eight (8) witnesses have testified, namely, for the
2 Association: Steve Simmons, Chuck Richards, Don Watson, Paul Boswell, Michael Story, and
3 Lenny Lynch; and for the District: Wes Washburn and Lyman McConnell. On November 27,
4 2007, a "Motion to Have Hearing on Prohibited Practices Complaint Heard in Fallon, Nevada"
5 was filed with the Board. It was noted therein that the Complainant is opposing the same. The
6 Complainant's opposition was formerly filed with the Board December 3, 2007 and the
7 Respondent filed a Reply on December 12, 2007. The reason stated for the change of venue was
8 that two witnesses have medical problems. The motion also notes that Fallon is "approximately
9 62 miles from Reno."

10 Based thereon, IT IS HEREBY ORDERED that the motion to change the hearing
11 location is GRANTED based upon NAC 288.277 and the good cause identified in the motion
12 including, but, not limited to, the witnesses' medical conditions.

13 DATED this 18th day of December, 2007.

14 LOCAL GOVERNMENT EMPLOYEE-
15 MANAGEMENT RELATIONS BOARD

16 BY: 
17 JAMES E. WILKERSON, SR., Chairman

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