

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

5 RICARDO BONVICIN,)
6 Complainant,) ITEM NO. 653B
7 vs.) CASE NO. A1-045893
8 NORTH LAS VEGAS POLICE OFFICERS)
9 ASSOCIATION, LOCAL 41,)
I.U.P.A.A.F.L.C.I.O.,) **ORDER**
10 Respondent.)

11 For Complainant: Daniel Marks, Esq.
12 Adam Levine, Esq.
13 Law Offices of Daniel Marks

14 For Respondent: Walter R. Cannon, Esq.
15 Peter Angulo, Esq.
16 Christopher M. Cannon, Esq.
17 Olson, Cannon, Gormley & Desruisseaux

18 On October 26, 2006, Ricardo Bonvicin ("Bonvicin") filed a complaint with the Local
19 Government Employee-Management Relations Board ("Board") against the North Las Vegas
20 Police Officers Association ("Association"). Bonvicin's allegations against the Association were
21 that it breached its duty to him of fair representation and as a result, Bonvicin has lost certain
22 rights guaranteed to him under the parties' collective bargaining agreement ("CBA"), i.e., the
23 right to an appeal of any arbitration decision rendered in the matter between Bonvicin and the
24 City of North Las Vegas ("City").

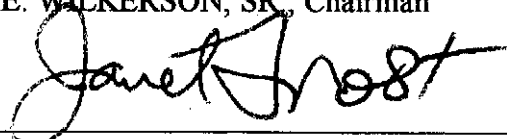
25 An answer was filed by the Association as well as a motion to dismiss. The motion was
26 denied, and the parties filed their respective prehearing statements. Thereafter, the matter was
27 scheduled for hearing on November 2, 2007, and December 19, 2007. Formal "Findings of Fact,
28 Conclusions of Law & Order" was finalized on April 2, 2008, and served on the parties. On
April 16, 2008, the Association filed a "Petition for Rehearing." Pursuant to NAC 288.364, the
Board has twenty days from the filing of such a petition to either grant or deny the same.


1 IT IS HEREBY ORDERED that the Petition is denied. Pursuant to NRS 288.110(2), the
2 Board "may order any person to refrain from the actions complained of or to restore the party
3 aggrieved any benefit of which he has been deprived by that action." The Board did not exceed
4 its jurisdiction by ordering the Association to refrain from breaching its duty of fair
5 representation. Posting notice of such a breach is typically ordered not only by this Board but by
6 the National Labor Relations Board as well. Furthermore, Bonvicin was improperly denied
7 representation by the Association, and the Board merely restored that benefit of representation to
8 Bonvicin.

9 DATED this 30th day of April, 2008.

10 LOCAL GOVERNMENT EMPLOYEE-
11 MANAGEMENT RELATIONS BOARD

12
13 BY: 
14 JAMES E. WILKERSON, SR., Chairman

15 BY: 
16 JANET TROST, ESQ., Vice-Chairman

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