

STATE OF NEVADA
 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
 RELATIONS BOARD

WASHOE EDUCATION SUPPORT
 PROFESSIONALS,

Complainant,

vs.

WASHOE COUNTY SCHOOL DISTRICT,

Respondent.

)
)
) ITEM NO. 681

)
) CASE NO. A1-045930

) **ORDER**
)

For Complainant:

Sandra G. Lawrence, Esq.
 Dyer, Lawrence, Penrose, Flaherty & Donaldson

For Respondents:

Rick R. Hsu, Esq.
 Maupin, Cox & LeGoy

On June 24, 2008, this matter came before the Local Government Employee Management Relations Board ("Board"); such matter being duly noticed pursuant to NRS 288.410, NAC chapters 288, NRS chapter 233B, and Nevada's open meeting laws.

This matter arose on March 19, 2008, when the Washoe Education Support Professionals Association ("Association") filed a petition for declaratory order with this Board. The Respondent in this matter is the Washoe County School District ("School District"). NAC 288.410 governs the Board's consideration of such a petition, and actions by the Board include the denial of a petition, scheduling the matter for hearing, or issue a ruling if the issues have been previously decided by the Board. NAC 288.410(4) allows the Board to schedule a hearing if it is in the best interests of those who may be affected by the order. The statute at issue is NRS 288.140(2) which states that the recognition of an employee organization "does not preclude any local government employee who is not a member of that employee organization from acting for himself with respect to any condition of his employment" The Association claims that it will "suffer harm if the [School] District allowed representatives of other [non-recognized]

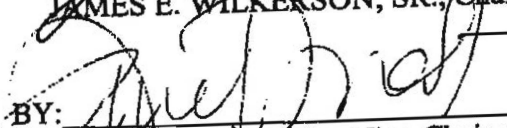
1 unions to represent members of its bargaining unit in grievance or other employment relat^{ed}
2 matters before the [School] District.”

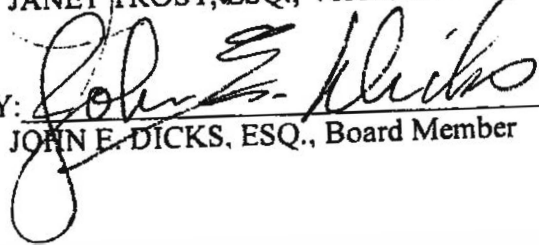
3 The Board has considered the petition and views this as an important issue that will hav^e
4 significant impact on local governmental employees, employee organizations, and loc^{al}
5 governmental employers within the State of Nevada, and that this matter should be scheduled fo^r
6 hearing at the earliest convenience of the parties, the Board, and any amicus. Although thi^s
7 matter shall proceed pursuant to NAC 288.280 through NAC 288.370, the Board does no^t
8 believe any witnesses or hearing exhibits will be necessary as this appears to be a legal issu^e
9 requiring briefs and oral arguments; however, if desired by any of the parties, witnesses an^d
10 hearing exhibits will be allowed.

11 DATED this 25th day of June, 2008.

12 LOCAL GOVERNMENT EMPLOYEE-
13 MANAGEMENT RELATIONS BOARD

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

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

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