

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

5 POLICE OFFICERS ASSOCIATION OF)
6 THE CLARK COUNTY SCHOOL)
7 DISTRICT/COPS N-CWA, LOCAL 9111,) ITEM NO. 690
8 Complainant,) CASE NO. A1-045939
9 vs.)
10 CLARK COUNTY SCHOOL DISTRICT,) **ORDER**
11 Respondent.)

12 For Complainant: Kerianne R. Steele, Esq.
Weinberg, Roger & Rosenfeld

13 For Respondents: C.W. Hoffman, Jr., Esq.
Clark County School District

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15 On November 18, 2008, this matter came before the Local Government Employee
16 Management Relations Board ("Board") for discussion, deliberations, and decision. This matter
17 was noticed pursuant to NRS and NAC chapters 288, as well as Nevada's Open Meeting Law
18 and NRS chapter 233B.

19 On August 28, 2008, Complainant, the Police Officers Association of the Clark County
20 School District/COPS N-CWA, Local 9111 ("Association"), filed a complaint with the Board
21 alleging prohibited labor practices by the Clark County School District ("School District").
22 More specifically, the Complaint indicated that three issues arose: however, two were resolved.
23 The third issue pertained to implementation of step increases in pay. The matter was scheduled
24 for arbitration: however, the parties could not agree on whether the decision would be final and
25 binding.

26 The School District filed a motion to dismiss claiming the complaint failed to comply
27 with NAC 288.380. An opposition was filed by the Association. It should be noted that NAC
28 288.235 states, in applicable part, that "[p]leadings, motions and other papers will be liberally

1 construed, and any defects which do not affect substantial rights of any party may be disregar^{ed}
2 by the Board." In the present matter, the complaint appears to sufficiently set forth th^e
3 allegations against the School District to put the School District on notice of such allegations
4 and cites to sufficient authority supporting the Association's position in this case.

5 BASED UPON the arguments raised and pursuant to NAC 288.235, the motion P
6 dismiss is HEREBY DENIED as the substantial rights of the School District are not impacted b^y
7 the wording of the complaint.

8 IT IS HEREBY ORDERED that the School District may file an answer within ten (10)
9 days of service of this order; and the parties thereafter are to timely file their respectiv^e
10 prehearing statements. Failure to comply with this order may result in sanctions to the parties.

11 DATED this 18th day of November, 2008.

12 LOCAL GOVERNMENT EMPLOYEE-
13 MANAGEMENT RELATIONS BOARD

14 BY: 

JANET TROST, ESQ., Chairman

16 BY: 

JOHN E. DICKS, ESQ., Vice-Chairman

18 BY: 

JAMES E. WILKERSON, SR., Board Member