

STATE OF NEVADA
LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

DENNIS TRETTEL,)
Complainant,) ITEM NO. 696
vs.) CASE NO. A1-045943
WASHOE COUNTY MEDICAL)
EXAMINER OFFICE, DR. ELLEN G. I.)
CLARK, and WASHOE COUNTY) **ORDER**
EMPLOYEE ASSOCIATION,)
Respondent.)

For Complainant: Dennis Trettel, In Proper Person

For Respondent: David L. Watts-Vial, Esq.
Washoe County Deputy District Attorney
Washoe County Employees Association

This matter having come on for hearing before the State of Nevada Local Government Employee-Management Relations Board ("Board") on February 9, 2009, noticed pursuant to NRS and NAC chapters 288, NRS chapter 233B, as well as Nevada's Open Meeting Laws, finds and orders as follows:

On or about November 21, 2008, Dennis Trettel ("Trettel") filed a complaint against the Washoe County Medical Examiner Officer Dr. Ellen G. I. Clark (collectively, "Medical Examiner"), and the Washoe County Employee Association ("Association"). The Medical Examiner filed a Motion to Dismiss and/or Defer to Arbitration/Grievance Process." It is alleged that the Washoe County Medical Examiner's office is not a local government employer. Dr. Clark is the Department Head for the Medical Examiner's Office. The Medical Office claims that the correct employer is Washoe County and it is not named in this matter; and further, a collective bargaining agreement ("CBA") exists. Pursuant to that CBA, Trettel was required to file a grievance and process the same through the terms and conditions outlined in the CBA. It is

1 alleged that Trettel has not timely filed a grievance. Trettel claims he was a probationary
2 employee and was told by the Association that he was not covered by the CBA. The Medical
3 Examiner filed reply authorities and claimed that Trettel's "opposition" was late; and because of
4 such a late filing, the motion should be granted pursuant to NAC 288.240.

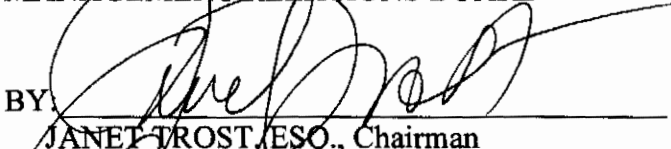
5 BASED UPON the documents and pleadings filed to date, and good cause appearing
6 therefore, IT IS HEREBY ORDERED that this matter is DISMISSED as the complainant has
7 failed to allege any violations of NRS Chapter 288 and in particular NRS 288.270.

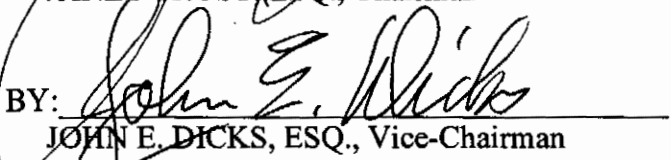
8 BASED ON this dismissal, the requests for other relief are deemed moot.

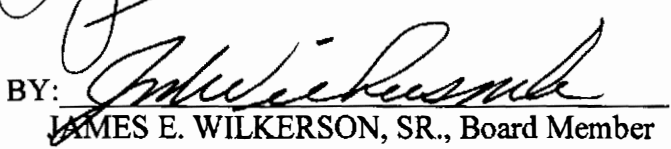
9 IT IS FURTHER ORDERED each party shall bear it's own fees and costs.

10 DATED this 9th day of February, 2009.

11 LOCAL GOVERNMENT EMPLOYEE-
12 MANAGEMENT RELATIONS BOARD

13 BY: 
14 JANET TROST, ESQ., Chairman

15 BY: 
16 JOHN E. DICKS, ESQ., Vice-Chairman

17 BY: 
18 JAMES E. WILKERSON, SR., Board Member
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