

STATE OF NEVADA  
LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT  
RELATIONS BOARD

In Re:

THE SOUTHERN NEVADA REGIONAL  
HOUSING AUTHORITY; and SEIU LOCAL  
1107,

ITEM NO. 795

CASE NO. A1-046117

**DECLARATORY ORDER**

This matter came on before the State of Nevada, Local Government Employee-Management Relations Board ("Board"), on May 6, 2014 for consideration and decision pursuant to the provisions of the Local Government Employee-Management Relations Act ("the Act") and NAC Chapter 288.

In this case, the Southern Nevada Health District and the Service Employees International Union have jointly submitted a petition for a declaratory order. In the joint petition, the parties ask the Board to address the applicability of our order in Water Employees Assoc. v. Las Vegas Valley Water District, Item No. 204, EMRB Case No. A1-045418 (Mar. 16, 1988). Specifically, the parties pose the following related questions to the Board: first, whether Item No. 204 or the Act prohibits joint or simultaneous negotiating sessions between an employer and multiple bargaining units; second, whether joint negotiating sessions are permissible under the Act; and third, whether joint negotiating sessions can be required under the Act.

Our decision in Item No. 204 confronted a factual scenario wherein the bargaining agent had presented a single combined negotiating team, with members of both a non-supervisory unit

1 and a supervisory unit, each of which was represented by the same bargaining unit. In resolving  
2 that case, the Board determined that the Act did not permit members of the non-supervisory  
3 bargaining unit to negotiate on behalf of the supervisory unit and vice versa, even where the  
4 same organization represents both units. In these scenarios there are concerns about divided  
5 loyalty and fair representation to each unit. The Board re-affirms that decision.  
6

7 While Item 204 mandates separate negotiating teams, it does not go so far as to mandate  
8 separate negotiating sessions, nor does the Act. The collective bargaining obligations under the  
9 Act entail a mutual obligation on employers and bargaining agents to meet at reasonable times  
10 for negotiating, but otherwise allows broad latitude amongst the respective negotiating teams to  
11 act in a spirit of cooperation and with an eye towards the reaching of an agreement. *See* NRS  
12 288.033. This latitude does not prohibit joint or simultaneous negotiating sessions between a  
13 local government employer and the bargaining teams from more than one unit.  
14

15 However neither Item No. 204 nor the Act requires joint negotiating sessions either.  
16 Therefore joint negotiating sessions are permissible under the Act when agreed to by the  
17 employer and all involved negotiating teams and are otherwise reasonable. Joint negotiating  
18 sessions are an option that may, at times, enhance negotiations and allow for greater efficiency in  
19 negotiations but nothing in the Act makes such joint sessions mandatory. Thus one party to the  
20 negotiations cannot require or insist upon joint sessions as a condition of negotiating.  
21  
22

23 Having considered the foregoing and in response to the parties' joint petition, the Board  
24 declares and concludes as follows:

25 1. Our decision in Water Employees Assoc. v. Las Vegas Valley Water District,  
26 Item No. 204, EMRB Case No. A1-045418 (Mar. 16, 1988) is re-affirmed.  
27  
28

- 1           2.       Item No. 204 does not require that negotiating sessions be separated.
- 2           3.       Joint or simultaneous negotiations are not prohibited by the Act.
- 3           4.       A party cannot require or insist upon joint negotiating sessions as a condition to
- 4 meet and bargain.

5  
6           DATED the 7<sup>th</sup> day of May, 2014.

7                               LOCAL GOVERNMENT EMPLOYEE-  
8                               MANAGEMENT RELATIONS BOARD

9  
10                              BY:   
11                               PHILIP E. LARSON, Chairman

12                              BY:   
13                               SANDRA MASTERS, Vice-Chairman

14                              BY:   
15                               BRENT C. ECKERSLY-ESQ. Board Member

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In Re:

THE SOUTHERN NEVADA REGIONAL  
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CASE NO. A1-046117

**NOTICE OF ENTRY OF ORDER**

To: Southern Nevada Regional Housing Authority and their attorney Theodore Parker, Esq.

To: SEIU Local 1107 and their attorney Michael A. Urban, Esq.


PLEASE TAKE NOTICE that a DECLARATORY ORDER was entered in the above-  
entitled matter on May 7, 2014.

A copy of said order is attached hereto.

DATED this 7<sup>th</sup> day of May, 2014.

LOCAL GOVERNMENT EMPLOYEE-  
MANAGEMENT RELATIONS BOARD

BY

  
YVONNE MARTINEZ, Executive Assistant

1 **CERTIFICATE OF MAILING**

2 I hereby certify that I am an employee of the Local Government Employee-Management  
3 Relations Board, and that on the 7<sup>th</sup> day of May, 2014, I served a copy of the foregoing  
4 DECLARATORY ORDER by mailing a copy thereof, postage prepaid to:

5  
6 Theodore Parker III, Esq.  
7 Parker Nelson & Associates, CHTD  
8 2460 Professional Court, Suite 200  
9 Las Vegas, NV 89128

10 Michael A. Urban, Esq.  
11 The Urban Law Firm  
12 4270 South Decatur Blvd., Suite A-9  
13 Las Vegas, NV 89103

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15 YVONNE MARTINEZ, Executive Assistant  
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