

FILED

DEC 17 2020

STATE OF NEVADA
E.M.R.B.

STATE OF NEVADA
GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

OPERATING ENGINEERS LOCAL UNION
NO. 3,

Complainant,

v.

INCLINE VILLAGE GENERAL
IMPROVEMENT DISTRICT,

Respondent.

Case No. 2020-012

NOTICE OF ENTRY OF ORDER

ITEM NO. 864-A

TO: Complainant Operating Engineers, Local Union No. 3 and their attorneys Thomas J. Donaldson, Esq., Francis Flaherty, Esq., and Dyer and Lawrence, LLP;

TO: Respondent Incline Village General Improvement District and their attorneys Jason Guinasso, Esq., Alex Velto, Esq., and Hutchison & Steffen, PLLC.

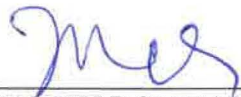
PLEASE TAKE NOTICE that the **ORDER TO CONTINUE STAY** was entered in the above-entitled matter on December 17, 2020.

A copy of said order is attached hereto.

DATED this 17th day of December 2020.

GOVERNMENT EMPLOYEE-
MANAGEMENT RELATIONS BOARD

BY


MARISU ROMUALDEZ ABELLAR
Executive Assistant

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2 **CERTIFICATE OF MAILING**

3 I hereby certify that I am an employee of the Government Employee-Management Relations
4 Board, and that on the 17th day of December 2020, I served a copy of the foregoing **NOTICE OF**
5 **ENTRY OF ORDER** by mailing a copy thereof, postage prepaid to:

6 Thomas J. Donaldson
7 Francis C. Flaherty
8 Dyer Lawrence, LLP
9 2805 Mountain Street
10 Carson City, NV 89703

11 Jason D. Guinasso, Esq
12 Alex R. Velto, Esq.
13 Hutchison & Steffen, PLLC
14 500 Damonte Ranch Parkway, Suite 980
15 Reno, NV 89521

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Executive Assistant

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STATE OF NEVADA

GOVERNMENT EMPLOYEE-MANAGEMENT

RELATIONS BOARD

INTERNATIONAL ASSOCIATION OF FIRE
FIGHTERS, LOCAL # 2955, and CASEY
MICONE,

Complainants,

v.

RENO-TAHOE AIRPORT AUTHORITY,

Respondent.

Case No. 2020-012

ORDER TO CONTINUE STAY

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ITEM NO. 864-A

On December 17, 2020, this matter came before the State of Nevada, Government Employee-Management Relations Board ("Board") for consideration and decision pursuant to the provisions of the Employee-Management Relations Act (EMRA, NRS Chapter 288) and NAC Chapter 288. At issue was deliberation and decision on the parties' status reports.

In a previously issued order, the Board stated:

While Complainant argues that the grievance procedures are not at issue because Respondent did not violate the MOU, Complainant has not shown that they were unable to file a grievance or any such grievance has been rejected. Thus, the Board stays this matter pending either exhaustion of contractual remedies or a showing of the foregoing consistent with the above.

No offer of proof has been provided to this Board to indicate that either of the foregoing conditions has been satisfied warranting the lifting of the stay.¹

¹ The Board previously noted: The Board has repeatedly emphasized that the preferred method for resolving disputes is through the bargained-for processes, and the Board applies NAC 288.375 liberally to effectuate that purpose. See also NAC 288.040; see also, e.g., *Ed. Support Employees Ass'n v. Clark County Sch. Dist.*, Case No. A1-045509, Item No. 288 (1992); *Int'l Union of Operating Engineers, Stationary Local 39 v. City of Reno*, Case No. A1-045567, Item No. 395 (1996); *Nevada Serv. Employees Union v. Clark Cty.*, Case No. A1-045759, Item No. 540 (2003); *Carpenter vs. Vassiliadis*, Case No. A1-045773, Item No. 562E (2005); *Las Vegas Police Protective Ass'n Metro, Inc. v. Las Vegas Metropolitan Police Dep't*, Case No. A1-045783, Item No. 578 (2004); *Saavedra v. City of Las Vegas*, Case No. A1-045911, Item No. 664 (2007); *Int'l Ass'n of Firefighters, Local 731 v. City of Reno*, Case No. A1-045918, Item No. 670 (2008); *Boykin v. City of North Las Vegas*, Case No. A1-045921, Item No. 674B (2008); *Las Vegas City Employees' Ass'n v. City of Las Vegas*, Case No. A1-045940, Item No. 691 (2008); *Wilson v. North Las Vegas Police Dep't*, Case No. A1-045925, Item No. 677D (2009); *Rosenberg v. The City of North Las Vegas*, Case No. A1-045951 (2009); *Storey County Firefighters Ass'n, IAAF Local 4226 v. Storey County*, Case No. A1-045979 (2010); *Jessie Gray Jr. v. Clark County School Dist.*, Case No. A1-046015, Item No. 758 (2011); *Las Vegas Metropolitan Police Dep't v. Las Vegas Police Protective Ass'n, Inc.*, Case No. 2018-017 (2018); *County of Clark, Nev. v. Int'l Ass'n of Fire Fighters, Local 1908*, Case No. 2017-033 (2018). Moreover,

1 IT IS, THEREFORE, ORDERED that the stay remain in effect consistent with the above.

2 IT IS FURTHER ORDERED that the parties shall file continue to file a joint status report
3 approximately every 90 days on a schedule to be determined by the Commissioner.

4 Dated this 17th day of December 2020.

5 GOVERNMENT EMPLOYEE-
6 MANAGEMENT RELATIONS BOARD

7 By: 
8 BRENT ECKERSLEY, ESQ., Chair

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25 the Board generally may defer to arbitration proceedings in consideration with its exclusive jurisdiction and, in such cases, it
26 is the practice of the Board to stay matters pending during the arbitration process. *City of Reno v. Reno Police Protective*
27 *Ass'n*, 118 Nev. 889, 895, 59 P.3d 1212, 1217 (2002); *Ed. Support Employees Ass'n v. Clark County Sch. Dist.*, Case No.
28 A1-045657, Item No. 446 (1999); *Clark County Education Ass'n v. Clark County Sch. Dist.*, EMRB Case No. A1-046025,
Item No. 764 (2011); *Rosenberg v. The City of N. Las Vegas*, EMRB Case No. A1-045951, Item No. 707 (2009); *Thomas v.*
City of N. Las Vegas, EMRB Case No. A1-045618, Item No. 407 (1997), *City of Las Vegas v. LVPOA*, Case No. 2017-012
(2017); *Las Vegas Metropolitan Police Dep't v. Las Vegas Police Protective Ass'n*, Case No. 2018-017 (2018); *McCray v.*
Clark County, Case No. 2019-013 (2020); *Operating Engineers Local Union No. 3 v. Incline Village Gen'l Improvement*
Dist., Case No. 2020-012 (2020)