

STATE OF NEVADA

STEVE SISOLAK
Governor

Members of the Board

BRENT C. ECKERSLEY, ESQ., Chair
SANDRA MASTERS, Vice-Chair
GARY COTTINO, Board Member
BRETT HARRIS, ESQ., Board Member
MICHAEL J. SMITH, Board Member



TERRY REYNOLDS
Director

BRUCE K. SNYDER
Commissioner

MARISU ROMUALDEZ ABELLAR
Executive Assistant

DEPARTMENT OF BUSINESS AND INDUSTRY
**GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD**

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November 10, 2020

PUBLIC NOTICE OF OPEN MEETING
(Meeting No. 20-20)

Pursuant to Nevada's Open Meeting Law, notice is hereby given that the Government Employee-Management Relations Board will hold a consolidated meeting of the Board sitting *En Banc* and also for **Panel A, Panel B, Panel C and Panel E** on:

Tuesday, November 17, 2020, at 8:15 a.m. This meeting will be held online using WebEx. Pursuant to Governor Sisolak's March 22, 2020 Declaration of Emergency Directive 006, as amended, the requirement contained in NRS 241.023(1)(b), that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate, is suspended in order to mitigate the possible exposure or transmission of COVID-19 (Coronavirus). Accordingly, any person planning to participate in the meeting must participate by using the WebEx link.

WebEx Link

There are two ways to join the meeting using WebEx. If you would like to view and participate in the meeting online, you may click on the link below. If you received a personal invitation to the meeting, then you may also click on the green join meeting button contained within the e-mail that you received.

Meeting number: 146 205 7972

Password: yHMjZPaV323

<https://businessnv2.webex.com/businessnv2/j.php?MTID=m088e27d51730ecdadb357c5ce6366ede>

If you would like to join the meeting by telephone (but not have the capability of viewing the meeting), then follow the instructions below:

Join by phone
1-844-621-3956 United States Toll Free
Access code: 146 205 7972

Chair Eckersley shall be the Presiding Officer of the Board sitting *en banc* and also for Panels A and E. Vice-Chair Masters shall be the Presiding Officer for Panel B. Board Member Cottino shall be the Presiding Officer for Panel C.

THE AGENDA

Note: The Board may take possible action on any item on this agenda unless that item is marked as "Information Only." Items marked as "Information Only" may be discussed by the Board after any presentation is made but no action may be taken on that particular item. The Board may take items out of order, may combine two or more agenda items for consideration, may remove items from the agenda or may delay discussion of any item at any time.

The Board Sitting *En Banc*

The following 4 items are for consideration by the full Board:

- 1. Call to Order & Roll Call** *Information Only*
- 2. Public Comment** *Information Only*
The Board welcomes public comment. Public comment must be limited to matters relevant to or within the authority of the Government Employee-Management Relations Board. No subject may be acted upon unless that subject is on the agenda and is scheduled for possible action. If you wish to be heard, please introduce yourself on the telephone at the appropriate time and the Presiding Officer will recognize you. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited. The Board will not restrict public comment based upon viewpoint. However, the Board may refuse to consider public comment prior to the commencement and/or conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual. See NRS 233B.126.
- 3. Approval of the Minutes** *For Possible Action*
For possible action on the minutes of the meeting held October 27-29, 2020.
- 4. Case 2020-018** *For Possible Action*
AFSCME, Local 4041 v. State of Nevada, Department of Corrections, High Desert State Prison, Calvin Johnson, Warden
Deliberation and decision on the Stipulation and Order to Dismiss Complaint Without Prejudice and Withdraw Motion for Reconsideration.

Panel B

The following 1 item is for consideration by Panel B:

5. **Case 2019-020** *For Possible Action*
Eric Gil v. City of Las Vegas
Statement by Chair Eckersley as to reasons for his recusal from the case.

Panel A

The following 2 items are for consideration by Panel A:

6. **Case 2019-007** *For Possible Action*
Nye County Management Employees Association and Ronni Boskovich, Daniel Young and Patrick Ferguson v. Nye County
Deliberation and decision on the Stipulation to Dismiss. Pursuant to NAC 288.271(2)(c), the Commissioner had previously randomly selected Board Member Cottino to replace Board Member Harris, who had recused herself.
7. **Case 2019-002** *For Possible Action*
Water Employees Association of Nevada v. Las Vegas Valley Water District
Deliberation and decision on Respondent Las Vegas Valley Water District's Motion for Deferral to Arbitration Award and Motion to Dismiss. Also, deliberation and decision on Complainant's Motion to Dismiss Counterclaim.

Panel C

The following 1 item is for consideration by Panel C:

8. **Case 2020-008** *For Possible Action*
Clark County Education Association & Davita Carpenter v. Clark County School District Plus Intervenors Education Support Employees Association and the Clark County Association of School Administrators and Professional-Technical Employees
Deliberation and decision on Respondent Clark County School District's Counterpetition for Declaratory Order, and matters related thereto. Pursuant to NAC 288.271(2)(c), the Commissioner had previously randomly selected Vice-Chair Masters to fill the vacancy on this panel for this case. Pursuant to NAC 288.271(4), the presiding officer shall be Board Member Cottino.

Panel E

The following 1 item is for consideration by Panel E:

9. **Case 2018-026** *For Possible Action*
Jason Woodard v. Sparks Police Protective Association
Deliberation and decision on the hearing previously held.

The Board Sitting *En Banc*

The following 5 items are for consideration by the full Board:

10. **Case 2020-022** *For Possible Action*
International Union of Operating Engineers, Local 501 v. Esmeralda County & Esmeralda County Board of Commissioners
Deliberation and decision on the Motion to Quash Service Upon Esmeralda County.
11. **Report of the Deputy Attorney General** *Information Only*
A report by the Nevada Attorney General's Office as to the status of cases on judicial review or at the Nevada Supreme Court, and other matters related thereto.
12. **Discussion on Use of Technology by the Board** *Information Only*
Discussion by the Board and staff as to use of the state-issued e-mail accounts and notebook computers. Also, discussion by the Board and staff as to the dissemination by staff to the Board of backup materials for meetings and exhibits for hearings and how technology may be better used for those purposes.
13. **Additional Period of Public Comment** *Information Only*
Please refer to agenda item 2 for any rules pertaining to public comment.
14. **Adjournment** *For Possible Action*

Posting

This meeting has been posted at the following locations and websites at least three days prior to the scheduled date of this meeting, in accordance with NRS 241.020(2):

Department of Administration Public Meeting Notice Web Site: <http://notice.nv.gov/>
Government Employee-Management Relations Board Web Site: <http://emrb.nv.gov>

Special Accommodations

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the EMRB at the address or telephone number above. Please notify us as soon as possible to allow time to secure any necessary equipment or provisions prior to the meeting.

Board and Panel

All references to the term "Board" shall also mean "Panel" when certain Board members are meeting as a panel in lieu of the Board members meeting *en banc*.

Members Assigned to Panels

The following members have been assigned to each panel pursuant to the agency's administrative rules:

<u>Panel</u>	<u>Presiding Officer</u>	<u>Member</u>	<u>Member</u>
A	Brent C. Eckersley, Esq.	Sandra Masters	Brett Harris, Esq.
B	Sandra Masters	Brett Harris, Esq.	Michael J. Smith
C	Gary Cottino	Brett Harris, Esq.	Michael J. Smith
D	Brent C. Eckersley, Esq.	Gary Cottino	Michael J. Smith
E	Brent C. Eckersley, Esq.	Sandra Masters	Gary Cottino

Inquiries and Supporting Materials

You may obtain copies of any supporting materials by contacting the Board Secretary, Marisu Romualdez Abellar, at the address at the top of page one of this document or by calling 702-486-4505. You may also obtain a copy of the Governor's Declaration of Emergency Directive 006 through the same contact means.

Closed Session

The Board or Panel may go into closed session pursuant to NRS 288.220 for consideration/discussion of any complaint, petition or appeal herein noticed. Any motion to go into closed session may include one or more items on the agenda in the motion. The Board or Panel will return to open session for final adjudication.