

STATE OF NEVADA

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Executive Assistant

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

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November 18, 2020

**MINUTES OF THE MEETING OF THE GOVERNMENT
EMPLOYEE-MANAGEMENT RELATIONS BOARD**
(Meeting No. 20-20)

A meeting of the Board sitting *en banc*, as well as that of Panel A, Panel B, Panel C and Panel E, of the Government Employee-Management Relations Board, properly noticed and posted pursuant to the Nevada Open Meeting Law, was held on Tuesday, November 17, 2020, at the hour of 8:15 a.m. The meeting was held via WebEx, pursuant to Governor Sisolak's March 22, 2020 Declaration of Emergency Directive 006, as amended.

The following Board members were present:

Brent C. Eckersley, Esq., Chair
Sandra Masters, Vice-Chair
Gary Cottino, Board Member
Brett Harris, Esq., Board Member
Michael J. Smith, Board Member

Also present:

Bruce K. Snyder, Commissioner
Marisu Romualdez Abellar, Executive Assistant
Donald Bordelove, Esq., Attorney General's Office

Members of the Public Present:

Tori Sundheim, Esq., Attorney General's Office
Fernando Colon, Esq., AFSCME
Kathy Maestas, Washoe Co. Employees Assoc.
Jan Giles, ESEA

The agenda:

The Board Sitting *En Banc*
Presiding Officer Brent C. Eckersley, Esq.

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

1. Call to Order & Roll Call

The meeting was called to order by Chair Brent C. Eckersley, Esq., on Tuesday, November 17, 2020, at 8:15 a.m. On roll call all members were present.

2. Public Comment

No public comment was offered.

3. Approval of the Minutes

The Board approved the minutes as presented for the meeting held October 27-29, 2020.

4. Case 2020-018

AFSCME, Local 4041 v. State of Nevada, Department of Corrections, High Desert State Prison, Calvin Johnson, Warden

Upon motion, the Board granted the Stipulation and Order to Dismiss Complaint Without Prejudice and Withdraw Motion for Reconsideration, as presented.

Panel B

Presiding Officer Sandra Masters

The following 1 item was for consideration by Panel B:

5. Case 2019-020

Eric Gil v. City of Las Vegas

Chair Eckersley, who had been randomly appointed to fill the vacancy on the panel for this case, stated his reasons for having recused himself from this case; namely that considering the Respondent was a party in a prior case involving firefighters, that he felt he could not be impartial as to the merits of the case.

Panel A

Presiding Officer Brent C. Eckersley, Esq.

The following 2 items were for consideration by Panel A:

6. Case 2019-007

Nye County Management Employees Association and Ronni Boskovich, Daniel Young and Patrick Ferguson v. Nye County

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. Commissioner Snyder stated that the stipulation to dismiss had not yet come in and thus this item will be postponed to a future meeting.

7. **Case 2019-002**

Water Employees Association of Nevada v. Las Vegas Valley Water District

The Panel deliberated on Respondent Las Vegas Valley Water District's Motion for Deferral to Arbitration Award and Motion to Dismiss, as well as Complainant's Motion to Dismiss Counterclaim, and upon motion, came to the following decision: (1) that the Motion for Deferral to the Arbitration Award is denied; (2) that the alternative motion for a more definite statement is granted; (3) that the Motion to Dismiss the Counterclaim is denied; and that the Complainant is instructed to file an amended complaint consistent with the decision within 20 days.

Panel C

Presiding Officer Gary Cottino

The following 1 item was for consideration by Panel C:

8. **Case 2020-008**

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

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(3), the presiding officer was Board Member Cottino. The Panel deliberated on Respondent Clark County School District's Counterpetition for Declaratory Order, and upon motion, came to the following decision; namely that the Board finds the EMRA provides for mandatory subjects of bargaining and that NRS 388G.610 and NRS 288.150 can be interpreted to render a harmonious result without NRS 388G.610 infringing on mandatory subjects of bargaining.

Panel E

The following 1 item was for consideration by Panel E:

9. **Case 2018-026**

Jason Woodard v. Sparks Police Protective Association

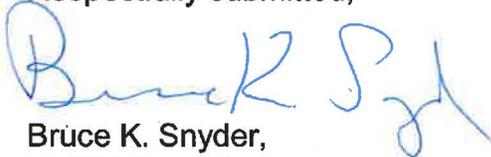
The Panel deliberated on the hearing previously held but did not arrive at a decision.

The Board Sitting *En Banc*

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

10. **Case 2020-022**
International Union of Operating Engineers, Local 501 v. Esmeralda County & Esmeralda County Board of Commissioners
The Board deliberated on the Motion to Quash Service Upon Esmeralda County, and upon motion denied the Motion to Quash Service.
11. **Report of the Deputy Attorney General**
Deputy Attorney General Donald Bordelove gave a report 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**
The Board and staff held a general discussion on the various topics concerning technology and its use for Board meetings. The topics included the use of WebEx to hold virtual meetings; the use of Teams for the dissemination of exhibits for hearings; the use of state versus personal e-mail accounts; and the use of state issued notebook computers.
13. **Additional Period of Public Comment**
No public comment was offered.
14. **Adjournment**
There being no additional business to conduct, Chair Eckersley adjourned the meeting.

Respectfully submitted,



Bruce K. Snyder,
EMRB Commissioner