

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**

3300 West Sahara Avenue, Suite 260, Las Vegas, Nevada 89102  
(702) 486-4504 • Fax (702) 486-4355  
[www.emrb.nv.gov](http://www.emrb.nv.gov)

April 7, 2021

**PUBLIC NOTICE OF OPEN MEETING**  
**(Meeting No. 21-07)**

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 D and Panel E** on:

**Thursday, April 15, 2021 at 10:00 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. 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: 187 718 2471**

**Password: ApUAvQPC563**

**<https://businessnv2.webex.com/businessnv2/j.php?MTID=m29fcf421c11d2a2990d8f07cdc18ffd1>**

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: 187 718 2471**

**Chair Eckersley shall be the Presiding Officer of the Board sitting *en banc* and also for Panel A, Panel D (except as noted below) and Panel E.**

## 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 7 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 March 16-18, 2021.
- 4. 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.
- 5. Report of the Commissioner** **Information Only**

A report by the Commissioner as to the status of bills pending in the legislature that would affect the agency or public sector collective bargaining, as well as the status of the agency's budget, and other matters related thereto.

6. **Case 2020-012** ***For Possible Action***  
**Operating Engineers, Local #3 v. Incline Village General Improvement District**  
Deliberation and decision on the Status Reports filed by Operating Engineers, Local 3 and Incline Village General Improvement District.
7. **Case 2020-020** ***For Possible Action***  
**AFSCME, Local 4041 & Shari Kassebaum v. State of Nevada, ex rel its Department of Corrections**  
Deliberation and decision on the Joint Status Report.

#### **Panel D**

The following 2 items are for consideration by Panel D:

8. **Case 2019-012** ***For Possible Action***  
**Luquisha McCray v. Clark County**  
Deliberation and decision on the Joint Status Report.
9. **Case 2020-001** ***For Possible Action***  
**AFSCME, Local 4041 v. State of Nevada, Department of Health and Human Services, Aging and Disability Services Division, Desert Regional Center; Dr. Lisa Thompson-Dyson, Residential Director**  
Deliberation and decision on the hearing previously held. Pursuant to NAC 288.271(2)(c), the Commissioner had randomly selected Vice-Chair Masters to fill the vacancy on this panel for this case and had also randomly selected Board Member Brett Harris, Esq. to replace Chair Eckersley, Esq., who was unavailable for the hearing. Pursuant to NAC 288.271(4) Board Member Cottino will be the Presiding Officer.

#### **Panel E**

The following 1 item is for consideration by Panel E:

10. **Case 2020-002** ***For Possible Action***  
**AFSCME, Local 4041 v. State of Nevada, Department of Corrections, High Desert State Prison, Brian E. Williams, Sr., Warden**  
Deliberation and decision on the hearing previously held.

#### **Panel A**

The following 1 item is for consideration by Panel A:

11. **Case 2020-022** ***For Possible Action***  
**International Union of Operating Engineers, Local 501 v. Esmeralda County;**

**Esmeralda County Board of Commissioners, et al.**

Deliberation and decision on the Motion to Dismiss Counterclaim.

**The Board Sitting *En Banc***

The following 3 items are for consideration by the full Board:

- 12. Case 2020-029** ***For Possible Action***  
**In re: Battle Born Firefighters Association’s Petition to Expand Bargaining Unit K Pursuant to NRS 288.515**

Deliberation and decision on AFSCME’s Motion for Leave to File an Amicus Brief.

If the above motion is denied, then deliberation and decision on the Petition to Expand Bargaining Unit K-Firefighters. If the above motion is granted, then deliberation and decision on the Petition to Expand Bargaining Unit K-Firefighters will be postponed until a future meeting.

- 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: <https://notice.nv.gov/>  
Government Employee-Management Relations Board Web Site: <https://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:

Panel	Presiding Officer	Member	Member
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 or NRS 288.590 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.