

STATE OF NEVADA

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Executive Assistant

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

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March 18, 2021

**MINUTES OF THE MEETING OF THE GOVERNMENT
EMPLOYEE-MANAGEMENT RELATIONS BOARD**
(Meeting No. 21-06)

A meeting of the Board sitting *en banc*, as well as that of Panel A, Panel D, 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, March 16, 2021; continued on Wednesday, March 17, 2021; and continued on Thursday, March 18, 2021. 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:¹

Anita Curtis, DHRM
Bradley Richardson, Esq., Nye Co. Deputy District Attorney
Peggy Bohn, AFSCME
Dana Howry, NDOT
Jeff Meehan, Pahrump Valley Times
Fernando Colon, Esq., AFSCME, Local 4041
Neil Baker, Esq., Littler Mendelson
Kelli Hansen, City of Las Vegas
Nicholas Wieczorek, Esq., Clark Hill PLC

¹ Not including the attorneys or record and witnesses for the hearing held for agenda item 3.

Allison Kheel, Esq., Fisher & Phillips LLP
Erika Noltie, Esq., UNLV General Counsel's
Office
Evan James, Esq., Christensen James & Martin
Charity Felts, Esq., Attorney General's Office

The agenda:

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

The following 2 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. at 8:30 a.m. On roll call only the three Panel E members; namely Brent C. Eckersley, Esq., Sandra Masters and Gary Cottino were present, constituting a quorum. A separate roll call was held on Thursday, March 18, 2021, at which time all members were present.
2. **Public Comment**
No public comment was offered.

Panel E
Presiding Officer Brent C. Eckersley, Esq.

The following 2 items were for consideration by Panel E:

3. **Case 2020-025**
Nye County Law Enforcement Association v. Nye County
The Panel held the hearing on the case. Post-hearing briefs will be due 30 days upon receipt of the transcript.
4. **Case 2020-002**
AFSCME, Local 4041 v. State of Nevada, Department of Corrections, High Desert State Prison, Brian E. Williams, Sr., Warden
The Panel deliberated on the hearing previously held but came to no decision at this time.

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

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

5. Approval of the Minutes

Upon motion, the Board approved as presented the minutes of the meeting held March 4, 2021, as presented.

6. Report of the Commissioner

Commissioner Snyder gave an oral report as to the status of bills pending in the legislature that would affect the agency or public sector collective bargaining.

7. Case 2020-032

In re: Petition of IAFF, Local 2251 v. City of Carson City

Upon motion, the Board granted the Stipulation for Extension of Time, as presented.

8. Case 2020-034

AFSCME, Local 4041 v. State of Nevada, Department of Corrections, Warm Springs Correctional Center

Upon motion, the Board granted a hearing for the case and then randomly assigned the case to Hearing Panel D.

9. Case 2020-030

AFSCME, Local 4041 v. State of Nevada, Nevada System of Higher Education, University of Nevada Las Vegas, University of Nevada Las Vegas Athletic Department, Thomas and Mack Center

The case was randomly assigned to Hearing Panel A.

Panel A

Presiding Officer Brent C. Eckersley, Esq.

The following 1 item is for consideration by Panel A:

10. Case 2019-002

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

The case was randomly assigned to Hearing Panel C.

Panel D

Presiding Officer Gary Cottino

The following 1 item is for consideration by Panel D:

11. Case 2020-001

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

The Panel deliberated on the hearing previously held but came to no decision at this time.

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

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

12. **Case 2020-019**
Susan Finucan v. City of Las Vegas
The Board deliberated on the City of Las Vegas' Motion to Defer, and upon motion, granted the motion.
13. **Case 2020-012**
Operating Engineers #3 v. Incline Village General Improvement District
The Board deliberated on Complainant's Proof of Filing Grievance but took no action at this time, noting that the Complainant had not yet exhausted its contractual remedies.
14. **Case 2020-031**
Henderson Police Supervisors Association v. City of Henderson; City of Henderson Police Department; Police Chief Thedrick Andres; Doe Individuals I Through X; Roe Entities I Through X
The Board deliberated on the following six motions, and upon motion, came to the following decisions:

With respect to Respondents City of Henderson, City of Henderson Police, and Chief Thedrick Andres' Motion to Dismiss or For a More Definite Statement, the Board denied the motion to dismiss but granted the motion for a more definite statement.

With respect to Respondents City of Henderson, City of Henderson Police Department and Police Chief Thedrick Andres' Motion for Extension of Time to File Answer, the Board granted the motion, with the answer due 21 days from the date of the filing of the amended complaint.

With respect to Respondents City of Henderson, City of Henderson Police Department, and Police Chief Thedrick Andres' Motion to Dismiss City of Henderson Police Department, the Board granted the motion.

With respect to Respondents City of Henderson, City of Henderson Police Department, and Police Chief Thedrick Andres' Motion to Dismiss Doe Individuals I Through X and Roe Entities I Through X, the Board granted the motion without prejudice, noting that should additional parties be discovered in the future then Complainant would be able to so file an amended complaint.

With respect to Respondents City of Henderson, City of Henderson Police Department, and Police Chief Thedrick Andres' Motion to Dismiss or Strike Individuals Identified By Pseudonyms or in the Alternative To Compel Substitution of Legal Names for Pseudonyms, the Board denied the motion to dismiss but granted the

motion in the alternative to compel the substitution of legal names for the pseudonyms.

With respect to Respondents City of Henderson, City of Henderson Police Department, and Police Chief Thedrick Andres' Motion to Dismiss Untimely Claims Outside of the Statute of Limitations and Motion for a More Definite Statement, the Board denied the motion to dismiss without prejudice but granted the motion for a more definite statement.

15. Additional Period of Public Comment

No public comment was offered.

16. Adjournment

There being no additional business to conduct, Chair Eckersley adjourned the meeting.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Bruce K. Snyder", with a stylized flourish at the end.

Bruce K. Snyder,
EMRB Commissioner