

STATE OF NEVADA



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Vacancy., Board Member

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Executive Assistant

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

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November 4, 2022

**MINUTES OF THE MEETING OF THE GOVERNMENT
EMPLOYEE-MANAGEMENT RELATIONS BOARD**
(Meeting No. 22-11)

A meeting of the Board sitting *en banc*, as well as that of Panel C, of the Government Employee-Management Relations Board, properly noticed and posted pursuant to the Nevada Open Meeting Law, was held on Thursday, November 3, 2022 at 9:30 a.m.¹ The meeting was held virtually through WebEx.

The following Board members were present:

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

Also present:

Bruce K. Snyder, Commissioner
Marisu Romualdez Abellar, Executive Assistant
Isabel Franco, Administrative Assistant II
Louis Csoka, Esq., Attorney General's Office

Members of the Public Present:

Mandee Bowsmith, Interim Administrator, DHRM
Corrine Cosentino, DHRM Labor Relations Unit
Matthew Lee, DHRM Labor Relations Unit
Fernando Colon, Esq., for AFSCME, Local 4041
Adam Levine, Esq., for FOP
Paul Lunkwitz, FOP Lodge 21 President

The agenda:

¹ Due to the hearing on agenda item 4 not being held, the Board did not meet on Tuesday or Wednesday as scheduled.

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

The following 3 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 9:30 a.m. On roll call all Board Members were present, thus constituting a quorum.
2. **Pledge of Allegiance**
The pledge of allegiance was recited by the Board, staff and members of the public present.
3. **Public Comment**
Adam Levine stated that people should take to heart the word “indivisible” in the Pledge of Allegiance.

Panel C
Presiding Officer Brent C. Eckersley, Esq.

The following 1 item was for consideration by Panel C:

4. **Case 2022-002**
Association of Professional-Technical Administrators v. Washoe County School District
Pursuant to NAC 288.271(2)(c), the Commissioner had randomly selected Vice-Chair Masters to fill the vacancy on the panel. Also pursuant to NAC 288.271(2)(c), the Commissioner had selected Chair Eckersley to fill the vacancy on the panel caused by the resignation of Board Member Harris. Pursuant to NAC 288.271(4) the presiding officer was Chair Eckersley. The hearing on the case was postponed and was not rescheduled at this time.

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

The following 8 items were for consideration by the full Board:

5. **Case 2021-002**
Nevada Association of Public Safety Officers v. Las Vegas Metropolitan Police Department and Las Vegas Police Protective Association
The Board deliberated on the Joint Status Report, but took no action at this time, thus keeping the stay in effect. The date for the next report will be due February 28, 2023.

6. **Case 2022-008**
Las Vegas Police Managers & Supervisors Association & Connell v. Las Vegas Metropolitan Police Department
The Board deliberated on the Joint Status Report, and upon motion, voted to lift the stay and directed the prevailing party to file a motion to defer or such other motion within 21 days of issuance of the order.

7. **Case 2022-011**
Las Vegas Police Protective Association v. Las Vegas Metropolitan Police Department
The Board deliberated on Respondent LVMPD's Motion to Lift Stay, and upon motion, lifted the stay. Commissioner Snyder stated that this item will come back before the Board at its next meeting to (1) deliberate and decide on a pending petition to intervene by the Las Vegas Police Managers and Supervisors Association and (2) to deliberate on whether to grant a hearing on the case.

8. **Case 2022-013**
Las Vegas Peace Officers Association v. City of Las Vegas
The Board deliberated on the Petition for Declaratory Order, and upon motion, agreed with the position of the City that it is to offer the deductions on a pre-tax basis and that it is then required by the IRS for affected employees to determine whether they wish to elect the deduction on a pre-tax basis, and if so, then to complete the required IRS form. Board Member Smith voted nay.

9. **Case 2022-014**
In Re: Category III Peace Officers Bargaining Unit "I" Request for Election by Fraternal Order of Police Nevada C.O. Lodge 21 Pursuant to NRS 288.525(2)(a)(1)
The Commissioner presented the Election Plan and associated documents. Upon conclusion of the presentation, representatives for the petitioner, the incumbent labor organization (i.e., AFSCME, Local 4041) and the State of Nevada then addressed the Board. Thereupon the Board approved the Election Plan with the change to Section 2.05 offered by Adam Levine and a change offered by Commissioner Snyder to Section 4.02. Both changes were unopposed by the parties involved in the matter.

After approval of the Election Plan, the Commissioner then supervised a random drawing to determine which labor organization was to get first choice as to placement on the ballot. FOP won the random drawing, thus receiving first choice. Thereupon FOP chose to be placed first on the ballot. AFSCME then chose to be placed second on the ballot, thus making the "No Union" option placed last on the ballot. The parties agreed to use "FOP" and "AFSCME" to delineate the two labor organizations on the ballot.

10. **Approval of the Minutes**
Upon motion, the Board approved the minutes of the meeting held October 13, 2022 with the correction of a date as found by Board Member Smith.

11. Additional Period of Public Comment
No public comment was offered.

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

Respectfully submitted,


Bruce K. Snyder,
EMRB Commission