

STATE OF NEVADA

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Governor

Members of the Board

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SANDRA MASTERS, Vice-Chair
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TAMMARA WILLIAMS, Board Member
MICHAEL URBAN, ESQ., 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 490, Las Vegas, Nevada 89102
(702) 486-4504 • Fax (702) 486-4355
www.emrb.nv.gov

February 7, 2023

NOTICE OF PUBLIC MEETING
(Meeting No. 23-01)

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***, **Panel C** and **Panel D** on:

Tuesday, February 14, 2023, at 1:30 p.m.; and continuing on Wednesday, February 15, 2023, at 8:15 a.m., if necessary; and continuing on Thursday, February 16, 2023, at 8:15 a.m.

The meeting will be held in the Tahoe Room, which is located on the fourth floor of the Nevada State Business Center, 3300 West Sahara Avenue, Las Vegas, Nevada 89102.

The meeting will also be held virtually using a remote technology system called WebEx. Accordingly, any person planning to participate in the meeting who does not wish to attend in-person must participate by using WebEx.

WebEx Link

There are two ways to join the meeting to hear, observe and participate using WebEx. If you would like to hear, observe 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 alternately click on the green join meeting button contained within the e-mail you received.

February 14, 2023

Meeting number: 2499 138 1107

Password: dNRfJgnK727

<https://businessnv2.webex.com/businessnv2/j.php?MTID=mbfb8debb5168a0a1514cafc4cbe994a7>

February 15 and 16, 2023

Meeting number: 2481 394 0234

Password: qbJhVyFB634

<https://businessnv2.webex.com/businessnv2/j.php?MTID=mce2ea924a85c639f93ce0ffc4c905974>

If you would like to join the meeting by telephone to hear and participate in the meeting, but not observe the meeting, then follow the instructions below:

Join by phone

1-844-621-3956 United States Toll Free

Access code: 2499 138 1107 (For February 14, 2023)

Access code: 2481 394 0234 (For February 15 and 16, 2023)

Chair Eckersley shall be the Presiding Officer of the Board sitting *en banc* and of Panel C and Panel D.

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. **Pledge of Allegiance** *Information Only*
3. **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 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.

4. **Approval of the Minutes** ***For Possible Action***
For possible action on the minutes of the meeting held December 29, 2022.

Panel D

The following 1 item is for consideration by Panel D:

5. **Case 2018-017** ***For Possible Action***
Las Vegas Metropolitan Police Department v. Las Vegas Police Protective Association
Pursuant to NAC 288.271(2)(c), the Commissioner had randomly selected Vice-Chair Masters to fill the vacancy at the time on the panel. Deliberation and decision on the Joint Status Report.

The Board Sitting *En Banc*

The following 9 items are for consideration by the full Board:

6. **Case 2020-019** ***For Possible Action***
Susan Finucan v. City of Las Vegas
Deliberation and decision on the Joint Status Report.
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.
8. **Case 2020-031** ***For Possible Action***
Henderson Police Supervisors Association v. City of Henderson et al.
Deliberation and decision on the Joint Status Report.
9. **Case 2022-007** ***For Possible Action***
Las Vegas Peace Officers Association & Candace Chambers v. City of Las Vegas
Deliberation and decision on the Joint Status Report.
10. **Case 2022-008** ***For Possible Action***
Las Vegas Police Managers & Supervisors Association & Connell v. Las Vegas Metropolitan Police Department
Deliberation and decision on the Stipulation to Dismiss.

11. **Case 2022-012** ***For Possible Action***
Jeremy Bunker v. Clark County
Deliberation and decision on the Stipulation and Order to Lift Stay Proceedings.

12. **Case 2022-010** ***For Possible Action***
FOP Nevada C.O. Lodge 21 v. State of Nevada, Department of Corrections, NDOC Director Charles Daniels
Deliberation and decision on the Stipulation to Substitute Parties.

13. **Case 2021-008; 2021-012; 2021-013; 2021-015** ***For Possible Action***
Las Vegas City Employees' Association & Julie Terry v. City of Las Vegas; Las Vegas City Employees' Association & Jody Glead v. City of Las Vegas; Las Vegas City Employees' Association & Marc Brooks v. City of Las Vegas; and International Association of Fire Fighters, Local 1285 v. City of Las Vegas
Oral argument by the parties on City of Las Vegas' Motion to Dismiss for Failure to Exhaust Contractual Remedies and Motion to Defer to Arbitration Proceedings. Deliberation and decision on the same. This item is set for a time certain for Tuesday, February 14, 2023, at 2:00 p.m.

14. **Case 2022-016** ***For Possible Action***
International Association of Firefighters Local No. 1265 v. City of Sparks
Deliberation and decision on Respondent City of Sparks' Motion to Dismiss.

Panel C

The following 1 item is for consideration by Panel C:

15. **Case 2022-009** ***For Possible Action***
Nye County v. Nye County Association of Sheriff's Supervisors and Counterclaim of Nye County Association of Sheriff's Supervisors and David Boruchowitz v. Nye County
Pursuant to NAC 288.271(2)(c), the Commissioner had randomly selected Vice-Chair Masters to fill the vacancy on the panel caused by the resignation of Board Member Cottino. 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 shall be Chair Eckersley.

The hearing will begin Tuesday, February 14, 2023, at 3:00 p.m.; and continuing on Wednesday, February 15, 2023, if necessary, at 8:15 a.m.; and continuing on Thursday, February 16, 2023, if necessary, at 8:15 a.m.

The hearing will be held in the Tahoe Room, which is located on the fourth floor of the Nevada State Business Center, 3300 W. Sahara Avenue, Las Vegas, NV 89102. The attorneys of record, witnesses, court reporter, the Commissioner and the panel members will be present in-person. Preliminary motions will be heard at the beginning of the hearing. The Panel may deliberate and take possible action on this case after the hearing has concluded.

The Board Sitting *En Banc*

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

- 16. Status of the Move to Suite 490** ***Information Only***
Report on the status of the move of the EMRB's office from Suite 260 to Suite 490.
- 17. Additional Period of Public Comment** ***Information Only***
Please refer to agenda item 3 for any rules pertaining to public comment.
- 18. 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):

Government Employee-Management Relations Board, 3300 W. Sahara Avenue, Suite 490, Las Vegas, Nevada
Department of Business & Industry, 3300 W. Sahara Avenue, Fourth Floor, Las Vegas, Nevada
Department of Business & Industry, 1830 College Parkway, Suite 100, Carson City, Nevada
Nevada State Library, 201 S. Carson Street, #100, Carson, City, Nevada
Department of Administration Public Meeting Notice Web Site: <http://notice.nv.gov/>
Government Employee-Management Relations Board Web Site: <http://emrb.nv.gov>

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. A link to the supporting materials may also be found on the agency's website next to the agenda for the meeting, which will be posted three business days before the hearing.

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	Tammara Williams
B	Sandra Masters	Michael J. Smith	Tammara Williams
C	Michael J. Smith	Tammara Williams	Michael Urban, Esq.
D	Brent C. Eckersley, Esq.	Michael J. Smith	Michael Urban, Esq.
E	Brent C. Eckersley, Esq.	Sandra Masters	Michael Urban, Esq.

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.