

JOE LOMBARDO
Governor

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SANDRA MASTERS, Vice-Chair
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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
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June 6, 2023

NOTICE OF PUBLIC MEETING
(Meeting No. 23-05)

Pursuant to Nevada's Open Meeting Law, notice is hereby given that the Government Employee-Management Relations Board will hold a meeting of the Board sitting *En Banc*, as well as **Panel C**, on:

Tuesday, June 13, 2023 at 8:15 a.m.; and continuing on Thursday, June 15, 2023 at 8:15 a.m. The meeting will be held in the Carl Dodge Conference Room, which is located in Suite 490 of the Nevada State Business Center, 3300 W. Sahara Avenue, Las Vegas, NV 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.

Meeting number: 2493 888 2630

Password: rTQJP2MCT72

<https://businessnv2.webex.com/businessnv2/j.php?MTID=madd2fbd4318b38d4262726807de8d3da>

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: 2493 888 2630

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

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 3 items are for consideration by the full Board:

1. **Opening Items** *Information Only*
 - Call to Order
 - Roll Call
 - Moment of Silence
 - Pledge of Allegiance

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 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. **Case 2022-018** *For Possible Action*

International Union of Elevator Constructors, Local 18 v. Clark County and Counterclaim of Clark County v. International Union of Elevator Constructors, Local 18
Deliberation and decision on the Stipulation for Hearing Before the Full Board.

Panel C
(Eckersley, Masters, Smith)

The following 2 items are for consideration by Panel C:

4. **Case 2020-008** ***For Possible Action***
Clark County Education Association & Davita Carpenter v. Clark County School District with Intervenors Education Support Employees Association and Clark County Association of School Administrators and Professional-Technical Employees

This agenda item is for Eckersley, Masters and Smith as pursuant to NAC 288.271(2)(c), the Commissioner had randomly selected Vice-Chair Masters to fill the vacancy 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. Deliberation and decision on the Joint Status Report.

5. **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

This agenda item is for Eckersley, Masters and Smith as 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. Deliberation and decision on the hearing previously held.

**THE FOLLOWING ITEMS WILL NOT BE TAKEN UP BY THE BOARD UNTIL
THURSDAY, JUNE 15, 2023**

The Board Sitting *En Banc*

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

6. **Public Comment** ***Information Only***
Please refer to agenda item 2 for any rules pertaining to public comment.
7. **Approval of the Minutes** ***For Possible Action***
For possible action on the minutes of the meeting held May 3, 2023.
8. **Legislative Update** ***For Possible Action***
Review of legislation pending or signed into law affecting the EMRB and/or public sector collective bargaining.

9. **Case 2020-019** *For Possible Action*
Susan Finucan v. City of Las Vegas
Deliberation and decision on the Joint Status Report.
10. **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.
11. **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.
12. **Case 2023-001** *For Possible Action*
Pershing County Law Enforcement Association v. Pershing County
Deliberation and decision on the Stipulation and Order for Dismissal With Prejudice.
13. **Case 2023-008** *For Possible Action*
Nevada Classified School Employees Association, Chapter 6 v. Douglas County School District
Deliberation and decision on the Stipulation for Dismissal With Prejudice.

Panel C

(Eckersley, Masters, Urban)

The following 1 item is for consideration by Panel C:

14. **Case 2022-002** *For Possible Action*
Association of Professional-Technical Administrators v. Washoe County School District
This agenda item is for Eckersley, Masters and Urban as pursuant to NAC 288.271(2)(c), the Commissioner had randomly selected Vice-Chair Masters to fill the vacancy 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. Also pursuant to NAC 288.271(2)(c), the Commissioner had selected Board Member Urban to fill the vacancy due to the recusal of Board Member Smith. Pursuant to NAC 288.271(4) the presiding officer shall be Chair Eckersley. Deliberation and decision on Respondent's Motion to Disqualify Counsel and Request for Continuance.

The Board Sitting *En Banc*

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

(cont'd on next page)

15. **Case 2023-009** *For Possible Action*
Las Vegas Peace Officers Association & Candace Chambers v. City of Las Vegas
Deliberation and decision on the following items: (1) Respondent Clark County School District's Motion to Dismiss Complainant's Complaint; (2) ESEA's Petition to Intervene and (3) the Petition to Intervene by Teamsters Local 14.
16. **Case 2022-012** *For Possible Action*
Jeremy Bunker v. Clark County
Deliberation and decision on the Motion for Reconsideration.
17. **Case 2023-006** *For Possible Action*
North Lyon Firefighters Associations, IAFF Local 4547 v. North Lyon County Fire Protection District, Jason Nicholl, in his official capacity, and Ryan Hanan, in his official capacity
Deliberation and decision on Hanan's Motion to Dismiss the Complaint.
18. **Case 2023-007** *For Possible Action*
North Lyon County Fire Protection District v. North Lyon Firefighters Association, IAFF Local 4547
Deliberation and decision on the status and progress of the case, including, but not limited to, dismissal of the case, the granting of a hearing for the case, whether to stay the case pursuant to the limited deferral doctrine, and/or whether to order a settlement conference for the case. If a hearing is granted, then the case shall also be randomly assigned to a hearing panel.

Also, should the motion to dismiss related to item 17 on this agenda be denied in whole or in part, and if a hearing is granted for item 18 on the agenda, then deliberation and decision on whether to consolidate the hearings pursuant to NAC 288.275.
19. **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 Gleed 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
Deliberation and decision on whether to participate in the Petition for Judicial Review filed in the above case in response to the Board's final order, and if so, to what extent.
20. **Allowance for Oral Argument Related to Motions** *For Possible Action*
Discussion and possible action and/or direction on the allowance of oral argument in the future pursuant to NAC 288.306.
21. **Election of Chair and Vice Chair** *For Possible Action*
Election of the Chair and Vice Chair for Fiscal Year 2024 pursuant to NRS 288.090.
22. **Additional Period of Public Comment** *Information Only*
Please refer to agenda item 2 for any rules pertaining to public comment.
23. **Adjournment** *For Possible Action*

Note: Upon conclusion of the meeting, or during a recess of the meeting, the Board may meet for training purposes on Nevada’s Open Meetings Law. Pursuant to that law, such training is outside a public meeting so long as no deliberation or action is taken during the training.

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