

STATE OF NEVADA

JOE LOMBARDO  
*Governor*



DR. KRISTOPHER SANCHEZ  
*Director*

BRUCE K. SNYDER  
*Commissioner*

Members of the Board  
BRENT C. ECKERSLEY, ESQ., Chair  
MICHAEL J. SMITH, Vice-Chair  
SANDRA MASTERS, Board Member  
TAMMARA M. WILLIAMS, Board Member  
MICHAEL A. URBAN, Board Member

MARISU ROMUALDEZ ABELLAR  
*Executive Assistant*

DEPARTMENT OF BUSINESS AND INDUSTRY  
GOVERNMENT EMPLOYEE-MANAGEMENT  
RELATIONS BOARD

January 2, 2024

**NOTICE OF PUBLIC MEETING**  
**(Meeting No. 24-01)**

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 B** and **Panel C**, on:

**Monday, January 8, 2024 at 8:15 a.m.; and continuing on Tuesday, January 9, 2024 at 8:15 a.m.; and continuing on Wednesday, January 10, 2024 at 8:15 a.m.; and continuing on Thursday, January 11, 2024 at 8:15 a.m.; and continuing on Friday, January 12, 2024 at 8:15 a.m., if necessary. The meeting will be held in the Carl Dodge Conference Room, which is located in the EMRB Office located on the fourth floor 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.

**January 8-10, 2024:**

**Access Code/Meeting number: 2496 811 1142**

**Password: fvNpH8Cmz22**

**<https://businessnv2.webex.com/businessnv2/j.php?MTID=m4938d5351e4de155dbae95567d9e518f>**

**January 11-12, 2024:**

**Access Code/Meeting number: 2480 640 5353**

**Password: 7NMbUMMZw35**

**<https://businessnv2.webex.com/businessnv2/j.php?MTID=md508bb476266c45b978f77d25d4ba7ff>**

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**

**Chair Eckersley shall be the Presiding Officer of the Board sitting *en banc* for Monday through Wednesday. Board member Williams shall be the Presiding Officer of the Board sitting *en banc* for Thursday and Friday and also of Panel B. Vice-Chair Smith shall be the Presiding Officer 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 9 items are for consideration by the full Board:

**1. Opening Items**

***Information Only***

- Call to Order
- Roll Call
- Pledge of Allegiance
- Moment of Silence

**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 2023-022** *For Possible Action*  
**In re: The Assignment of Executive Department Job Classifications To Bargaining Units Pursuant to Senate Bill 166 of the 82<sup>nd</sup> Session of the Nevada Legislature**  
The hearing will be held Monday, January 8, 2024 beginning at 8:15 a.m.; and continuing on Tuesday, January 9, 2024 at 8:15 a.m.; and continuing on Wednesday, January 10, 2024 at 8:15 a.m. The hearing will be held in the Carl Dodge Conference Room, which is located in the EMRB office located on the fourth floor of the Nevada State Business Center, 3300 W. Sahara Avenue, Las Vegas, NV 89102. The hearing will also be held virtually using a remote technology system called WebEx. The Commissioner and one or more of the Board members will be present in-person. The attorneys of record, witnesses, court reporter, remaining Board members and the Deputy Attorney General assigned to the EMRB will be present via WebEx. 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.

**AGENDA ITEMS 4 THROUGH 9 WILL BE TAKEN UP BY THE FULL BOARD FIRST THING WEDNESDAY MORNING. AGENDA ITEMS 10-11 WILL BE TAKEN UP UPON THE CONCLUSION OF THE HEARING ON WEDNESDAY.**

4. **Approval of the Minutes** *For Possible Action*  
For possible action on the minutes of the meetings held December 12-14, 2023.
5. **Setting of Board Meeting Dates** *For Possible Action*  
Deliberation and decision on setting Board meeting dates for May through August 2024.
6. **Case 2023-026** *For Possible Action*  
**AFSCME, Local 4041 v. State of Nevada, Executive Department, Joe Lombardo, in his official capacity as the Governor of the State of Nevada including Counterclaim**  
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.
7. **Case 2023-019** *For Possible Action*  
**AFSCME, Local 4041 v. State of Nevada, Department of Veterans Services, Southern Nevada State Veterans Home**  
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, if a hearing is granted, then deliberation and decision on whether to consolidate the hearing for this case with case 2023-029 pursuant to NAC 288.275.

8. **Case 2023-029** *For Possible Action*  
**AFSCME, Local 4041 v. State of Nevada, Department of Veterans Services, Southern Nevada Veterans Home**

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, if a hearing is granted, then deliberation and decision on whether to consolidate the hearing for this case with case 2023-019 pursuant to NAC 288.275.

9. **Show Cause Hearings for Entities Not Filing Reports** *For Possible Action*  
Deliberation and decision on granting to staff the authority to schedule a show cause hearing before the Board for those local governments and employee organizations which have yet to file their annual reports, to authorize the sending of a Notice to Show Cause, and other matters related thereto.

**Panel B (Modified)**  
(Williams, Masters, Urban)

The following 1 item is for consideration by Panel B:

10. **Case 2023-009** *For Possible Action*  
**Clark County Education Association v. Clark County School District and Intervenor Education Support Employees Association**

This agenda item is for Board Members Williams, Masters, and Urban. Pursuant to NAC 288.271(2)(c), the Commissioner had randomly selected Board Member Urban to take the place of Vice-Chair Michael J. Smith, who was unavailable. Pursuant to NAC 288.271(3) the presiding officer shall be Board Member Williams. Deliberation and decision on the Motion for Sanctions. Also, deliberation and decision on the hearing previously held.

**Panel C**  
(Smith, Masters, Urban)

The following 1 item is for consideration by Panel C:

11. **Case 2023-010** *For Possible Action*  
**Clark County Education Association v. Clark County School District**  
Deliberation and decision on the petition for declaratory order pursuant to the stipulation approved by the Board on December 14, 2023.

### **The Board Sitting *En Banc***

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

12. **Consolidated Case 2023-024 (with 2023-031)** ***For Possible Action***  
**Washoe County School District v. Washoe School Principals' Association and Washoe School Principals' Association v. Washoe County School District**  
The hearing will be held Thursday, January 11, 2024 at 8:15 a.m.; and continuing on Friday, January 12, 2024 at 8:15 a.m., if necessary. Pursuant to NAC 288.271(3) the presiding officer shall be Board Member Williams. The hearing will be held in the Carl Dodge Conference Room, which is in the EMRB Office located on the fourth floor of the Nevada State Business Center, 3300 W. Sahara Avenue, Las Vegas, NV 89102. The hearing will also be held virtually using a remote technology system called WebEx. The attorneys of record, witnesses, court reporter, the Deputy Attorney General assigned to the EMRB and one or more of the panel members will be present via WebEx. The remaining panel members and Commissioner 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.
  
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):

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 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	Michael J. Smith	Sandra Masters	Tammara M. Williams
C	Michael J. Smith	Sandra Masters	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.