

STATE OF NEVADA

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Executive Assistant

DEPARTMENT OF BUSINESS AND INDUSTRY
GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

November 8, 2024

**MINUTES OF THE MEETING OF THE GOVERNMENT
EMPLOYEE-MANAGEMENT RELATIONS BOARD**
(Meeting No. 24-16)

A meeting of the Board sitting *en banc* as well as Panel A, Panel B and Panel C of the Government Employee-Management Relations Board, properly noticed and posted pursuant to the Nevada Open Meeting Law, was held on Wednesday, November 6, 2024 at 8:15 a.m.; and continued on Thursday, November 7, 2024 at 8:15 a.m.; and continued on Friday, November 8, 2024 at 8:15 a.m. The meeting was held in the Carl Dodge Conference Room, which is located in the EMRB Office on the fourth floor of the Nevada State Business Center, 3300 W. Sahara Avenue, Las Vegas, NV 89102. The meeting was also held virtually via TEAMS.

The following Board members were present:

Brent C. Eckersley, Esq., Chair
Michael J. Smith, Vice-Chair
Sandra Masters, Board Member
Tammara M. Williams, Board Member
Michael A. Urban, Esq., Board Member

Also present:

Bruce K. Snyder, Commissioner
Marisu Romualdez Abellar, Executive Assistant
Cathy Zamora, Administrative Assistant II
Samuel Taylor, Esq., Attorney General's Office

Members of the Public Present:¹

Brian Anderson, Esq., for City of Henderson
Andrew Clark, Esq., Littler Mendelson, for CCSD
Dante Dabaghian, Esq., CCEA
Ron Dreher, Jr., Esq., for Edwin Martin
Noel Eidsmore, Esq., City of North Las Vegas
Dylan Lawter, Esq., Christensen James & Martin
Andrew Regenbaum, J.D. for HPSA
Nathan Ring, Esq., Ring Reese Velto
Bradley Schrager, Esq., Bravo Schrager LLP

¹ Not including the attorneys of record or witnesses for the hearing related to agenda item 5.

Mahogany Turfley, Esq., Parker Nelson
Lorina Dellinger, Interim Nye County Manager
Marc DiGiacomo, Clark County
John Vellardita, Executive Director, CCEA
David Westbrook, Esq., President, CCDU
Amy Wong, City of Henderson

The agenda:

The Board Sitting *En Banc*

The following 2 items were for consideration by the full Board:

1. Opening Items

The meeting on Wednesday, November 6, 2024 was called to order by Chair Eckersley at 8:15 a.m. On roll call the three panel A members were present: Chair Eckersley, Board Member Masters and Board Member Williams. Thus, a quorum was present.

The meeting on Thursday, November 7, 2024 was called to order by Chair Eckersley at 8:15 a.m. On roll call the three panel A members were present: Chair Eckersley, Board Member Masters and Board Member Williams. Thus, a quorum was present.

The meeting on Friday, November 8, 2024 was called to order by Chair Eckersley. On roll call all members were present. Thus, a quorum was present. The pledge of allegiance was recited, followed by a moment of silence.

2. Public Comment

No public comment was offered any of the days of the meeting.

Panel A

(Eckersley, Masters, Williams)

The following 3 items were for consideration by Panel A:

3. Approval of the Minutes

Upon motion, the Panel approved the minutes for the meeting held October 16, 2024.

4. Case 2023-033 & Case 2024-002

Nye County v. Nye County Management Employees Association and Nye County Management Employees Association v. Nye County

Upon motion, the Panel granted the Stipulation for Dismissal, as presented.

5. Case 2024-014

Clark County Defenders Union v. Clark County and Clark County v. Clark County Defenders Union

The hearing on the case was held. Upon conclusion of the hearing the Panel deliberated on the case but came to no decision.

The Board Sitting *En Banc*

The following 12 items were for consideration by the full Board:

6. Approval of the Minutes

Upon motion, the Board approved the minutes for the meetings held October 4, 2024 and October 9, 2024.

7. Case 2024-008

Carson Education Support Association v. Carson City School District

Upon motion, the Board lifted the stay previously ordered by the Board under the limited deferral doctrine. Then, upon motion, the Board granted the Stipulation to Dismiss Complaint, as presented.

8. Case 2024-016

In the Matter of Clark County, Petition for Declaratory Order

The Board had previously granted a hearing and the Commissioner had issued a notice designating this case as a case of statewide significance, thus keeping the matter before the full Board. Upon motion, the Board set oral argument for February 12, 2025. Board Member Urban abstained from the vote.

9. Case 2024-024

Nevada Service Employees Union v. Clark County

Commissioner Snyder reported that the parties had reached a settlement in the case and that the stipulation to dismiss will be presented to the Board at its next meeting.

10. Case 2024-026

Nevada Service Employees Union v. Southern Nevada Health District

Upon motion, the Board granted the Stipulation to Dismiss, as presented. Board Member Urban abstained from the vote.

11. Case 2024-027

Teamsters Local 14 v. City of North Las Vegas

Upon motion, the Board granted a hearing for the case, which was then randomly assigned to Panel A. The Board then set the hearing for February 11, 2025 and February 13, 2025. Noel Eidsmore, attorney for the Respondent, requested that Board Member Urban recuse himself. However, Mr. Urban was not on the panel selected and thus the request was moot.

12. Commissioner Revised Resignation Letter

Commissioner Snyder presented to the Board a revised resignation letter, which changed his resignation date from January 31, 2025 to February 28, 2025. He stated that this would allow him to cover for Marisu Abellar's vacation for two weeks in February.

13. Board Secretary Upcoming Vacancy

The Board reviewed the proposed job announcement for the Board Secretary position,

and upon motion, approved the same with the deadline for the submission of applications to be set for December 13, 2024. The Board also discussed the process for the appointment of a Board Secretary, and upon motion, the current Commissioner and Board Secretary, plus Vice-Chair Smith, would review the applications and narrow the pool to ten applicants, who would receive an internal interview. The three of them would then forward five applicants for interviews before the Board, which would take place on January 14, 2025.

14. Case 2023-020

Clark County School District v. Clark County Education Association

The Board called this agenda item and agenda item 15 together. See the minutes for agenda item 15.

15. Case 2024-029

In Re: Clark County Education Association's Petition for Declaratory Order

The Chair opened the floor to public comment for agenda items 14 and 15, which had been called together. Thereupon, Bradley Schrager, Esq., attorney for CCEA, stated that oral presentations should be permitted as the issues are of first impression and that due process would demand it. He also stated that any decisions by the Board would most certainly be appealed to the courts and that it must be shown that fairness was done by the Board. He further stated that there would be no prejudice to CCSD if oral argument was held as the case has already been on the docket for some time. Andrew Clark, Esq., of Littler Mendelson, spoke on behalf of CCSD, stating that the Board should not piecemeal the cases by allowing for oral argument.

The Board deliberated on all the requests and motions for agenda items 14 and 15, and upon motion, came to the following decision: (1) to deny the pending motions to dismiss; (2) to consolidate Case Case 2023-020 with this case; (3) to deny the Oral Argument Requests as moot; and (4) that prehearing statements would be due as set by the Commissioner. Commissioner Snyder advised the parties that the hearing would be held sometime during the week of January 27, 2025.

16. Case 2024-018

Las Vegas Police Managers and Supervisors Association v. Las Vegas Metropolitan Police Department

The Board deliberated on the Petition for Declaratory Order, and upon motion, came to the following decision: (1) that a hearing would be necessary to resolve the petition and thus granted a hearing in the case; (2) that prehearing statements would be due within 21 days of the notice of entry of the order; and (3) that the Board would randomly assign the case to a hearing panel and set dates for the hearing at a future Board meeting.

17. Case 2024-028

Henderson Police Supervisors Association v. City of Henderson

The Chair opened the floor to public comment for this agenda item. Thereupon, Andrew Regenbaum, J.D., spoke on behalf of the Complainant, stating that the case is complicated and has a novel fact pattern. Thus, allowing oral argument would be helpful. He further stated that oral argument would be quick and would help provide due

process, noting that there would be no prejudice to having a one month delay for the oral argument to occur.

The Board deliberated on the Amended Complainants' Request for Hearing, and on Respondent's Motion to Dismiss or to Stay to Exhaust Contract Remedies, and upon motion, stayed the case under the limited deferral doctrine in light of possible overlapping issues. The parties shall file a Joint Status Report by December 31, 2024.

Panel B

(Smith, Masters, Williams)

The following 1 item was for consideration by Panel B:

18. Case 2023-036

Edwin Martin v. Truckee Meadows Fire Protection District

The Panel deliberated on the Motion for Attorneys' Fees and Costs, and upon motion, denied the motion as it found the case not to be frivolous.

Panel C

(Eckersley, Smith, Masters)

The following 1 item was for consideration by Panel C:

19. Case 2024-009

Nevada Service Employees Union v. Southern Nevada Health District

Pursuant to NAC 288.271(2)(c), Chair Brent C. Eckersley, Esq., was randomly assigned to substitute for Board Member Michael A. Urban, Esq., who recused himself from the matter. Pursuant to NAC 288.271(3) the presiding officer was Chair Brent C. Eckersley, Esq. The Panel deliberated on the hearing previously held, and upon motion, found in favor of the Respondent.

The Board Sitting *En Banc*

The following 2 items were for consideration by the full Board:

20. Additional Period of Public Comment

No public comment was offered any of the days of the meeting.

(cont'd on next page)

21. Adjournment

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

Respectfully submitted,

Bruce K. Snyder,
EMRB Commissioner