

STATE OF NEVADA

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Commissioner

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Executive Assistant

DEPARTMENT OF BUSINESS AND INDUSTRY
GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

March 21, 2024

**MINUTES OF THE MEETING OF THE GOVERNMENT
EMPLOYEE-MANAGEMENT RELATIONS BOARD**
(Meeting No. 24-05)

A meeting of the Board sitting *en banc* of the Government Employee-Management Relations Board, properly noticed and posted pursuant to the Nevada Open Meeting Law, was held on Thursday, April 18, 2024 at 8:15 a.m.; and continuing on Tuesday, April 23, 2024 at 8:15 a.m. The meeting was held in the Carl Dodge Conference Room, 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 was also held virtually via WebEx.

The following Board members were present: Brent C. Eckersley, Esq., Chair
Michael J. Smith, Vice-Chair
Sandra Masters, Board Member
Michael A. Urban, Esq., Board Member

Also present: Bruce K. Snyder, Commissioner
Marisu Romualdez Abellar, Executive Assistant
Samuel Taylor, Esq., Attorney General's Office

Members of the Public Present:¹ Stacy Dunlap, State of Nevada-LRU
Kevin Pick, Washoe County School District
Matthew Lee, Labor Relations Unit
Stacey Dunlap, Labor Relations Unit
Tracy Record
Virginia Doran
Laura Lux
Crisy

The agenda:

¹ This does not include the attorneys of record or witnesses for agenda items 3 and 4 unless they also appeared before the Board for another agenda item.

1. Opening Items

The meeting was called to order on Thursday, April 18th by Chair Eckersley at 8:15 a.m. On roll call all members were present except for Board Member Williams, who was excused. Thus, a quorum was present. The Pledge of Allegiance was recited followed by a moment of silence.

The meeting was called to order on Tuesday, April 23rd by Chair Eckersley at 8:15 a.m. On roll call all members were present except for Vice-Chair Smith and Board Member Williams, both of whom were excused. Thus, a quorum was present.

2. Public Comment

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

3. Case 2023-030

Las Vegas Police Protective Association v. Las Vegas Metropolitan Police Department

Upon motion, the Board granted the Stipulation and Order for Dismissal With Prejudice, as presented.

3. Case 2024-001

Association of Professional-Technical Administrators v. Washoe County School District

The Board heard oral argument and deliberated on Respondent's Motion to Dismiss Complainant's First Amended Complaint and Complainant's Motion to Bar Respondent's Affirmative Defenses and Respondent's Motion to Quash Subpoenas. Upon motion, the Board decided to stay the case pursuant to the limited deferral doctrine, that Complainant would have 30 days to file a case in a court of competent jurisdiction regarding NRS Chapter 82. Furthermore, the parties are to file joint status reports every 90 days on a schedule to be determined by the Commissioner. The motions were thus placed on hold.

4. Consolidated Case 2023-015 (with 2023-023)

Association of Professional-Technical Administrators v. Washoe County School District and Washoe County School District v. Association of Professional-Technical Administrators

Pursuant to NAC 288.271(3) the presiding officer shall be Vice-Chair Michael J. Smith. However, due to the absence of Vice-Chair Smith, Chair Eckersley presided over this item. Upon motion, this consolidated case was placed on hold pursuant to the limited deferral doctrine. Any joint status report filed for Case 2024-001 will suffice for this case.

5. Approval of the Minutes

Upon motion, the Board approved the minutes of the meeting held March 19-21, 2024.

6. Case 2023-027

Joseph Mendoza & North Lyon Firefighters Association, IAFF Local 4547 v. North Lyon County Fire Protection District; Daniel McCassie, in his official capacity; Mike Callagy, Jr., in his official capacity; and Harry Wheeler, in his official capacity

The Board deliberated on the Second Joint Status Report and ordered the prevailing party at the arbitration to file a Motion to Defer within 21 days of the notice of entry of the order directing such and also separately file a copy of the arbitration transcript.

7. Case 2024-007

In Re: Petition for Recognition as the Exclusive Representative for Unit O

Commissioner Snyder presented the audit report for the recognition petition filed by the Battle Born Firefighters Association, which sought to be recognized as the exclusive representative of Unit 0-Firefighter Supervisors. He stated that the audit found the labor organization had support from 70.0% of the employees in the bargaining unit. Thereupon, upon motion, the Board granted the petition and declared the labor organization as the exclusive representative of the bargaining unit.

8. Case 2024-002

Nye County Management Employees Association v. Nye County

The Board deliberated on (1) the Motion to Require Nye County to Strike Names to Select an Interest Arbitrator Pursuant to NRS 288.200(6), or Alternatively to Authorize NCMEA to Select the Interest Arbitrator from the Strike List Provided by FMCS and (2) Respondent's Motion to Consolidate (with case 2023-033), and upon motion, came to the following decisions: (1) that the cases are not to be consolidated and (2) that NCMEA is to request a list of arbitrators from FMCS and that the parties shall thereupon strike names within five business days from receipt of the list.

9. Case No. A-24-888242-J in Eighth Judicial District Court

International Union of Elevator Constructors, Local 18 v. State of Nevada, Government Employee-Management Relations Board; Clark County, Nevada

The Board deliberated on the petition for judicial review, and upon motion, decided to file a notice of intent to participate in the case in order to defend the Board's decision.

10. Administrative Assistant II Vacancy

Commissioner Snyder remarked that Isabel Franco elected not to return to the agency after all and thus the position remains open. He explained two alternatives of either filling the position or whether to leave it open as use temporary services as needed. Upon motion, the Board agreed to direct staff to take steps to fill the position and to ask Board Member Williams to help serve on a committee with staff, and that if she declines the request, then Board Member Urban would be glad to serve in her place.

11. Additional Period of Public Comment

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

12. Adjournment

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

Respectfully submitted,

Bruce K. Snyder,
EMRB Commissioner

DRAFT