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**FILED**  
**December 10, 2025**  
**State of Nevada**  
**E.M.R.B.**  
**4:19 p.m.**

1 **CHRISTENSEN JAMES & MARTIN, CHTD.**  
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9 *Attorneys for Local 1107*

6 **STATE OF NEVADA**  
7 **GOVERNMENT EMPLOYEE-MANAGEMENT**  
8 **RELATIONS BOARD**

9 **WATER RECLAMATION DISTRICT**  
10 **EMPLOYEES ASSOCIATION**

CASE NO.: 2025-025

11 **Petitioner,**  
12 **vs.**

13 **CLARK COUNTY WATER**  
14 **RECLAMATION DISTRICT and SERVICE**  
15 **EMPLOYEES INTERNATIONAL UNION,**  
16 **LOCAL 1107,**

17 **Respondents.**

16 **MOTION TO STAY**  
17 **OR,**  
18 **ALTERNATIVELY, MOTION TO CONSOLIDATE**

19 Nevada Service Employees Union, SEIU Local 1107 (“Local 1107”), by and  
20 through its counsel, respectfully moves the Board to stay all proceedings in the above-  
21 captioned matter pending resolution of the prohibited practice complaint, Case No. 2025-  
22 028, filed by Local 1107 against the Water Reclamation District Employees Association  
23 (“WRDEA”) and the Clark County Water Reclamation District (“WRD”). In the  
24 alternative, Local 1107 moves the Board to consolidate Case Nos. 2025-25 and 2025-29.  
25 These motions are made pursuant to NAC 288.275, NAC 288.146, and NRS 288.110,  
26 and are supported by the following memorandum of points and authorities.  
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**AUTHORITY FOR BOARD ACTION**

The Board may “take such action and make such determinations as are necessary to carry out the provisions of this chapter.” NRS 288.110(2); *see also* NAC 288.275. Staying proceedings to preserve the integrity of the representation process falls squarely within this mandate. Consolidating cases where their outcomes are intricately intertwined also falls within the mandate.

**ARGUMENT**

The facts before the Board indicate that serious concerns exist about the conflict of interest that exists among WRDEA Directors, the undue influence, and the coercive conduct that are in contravention of a free and fair representation selection by employees through an election or otherwise. Local 1107’s prohibited practice complaint alleges violations of NRS 288.270(1)(a), (b), (c), (e), and (f) and NRS 288.270(2)(a) and (c), including employer domination, interference, and assistance in the formation of WRDEA, as well as coercion and discrimination by WRDEA. These allegations are supported by detailed factual assertions showing that WRD provided material support to WRDEA’s organizing efforts, including use of employer facilities and electronic systems, and that WRDEA’s officers have an express conflict of interest and acted with coercive and discriminatory intent against Local 1107 because of political and personal animus.

Proceeding with the Petition under these circumstances would undermine the statutory guarantee of employee free choice embodied in NRS Chapter 288. As the United States Supreme Court observed in *NLRB v. Gissel Packing Co.*, 395 U.S. 575, 602 (1969), employee free choice must be protected from the effects of coercion, even to the extent of issuing a bargaining order where proper. Nevada law reflects the same principle: representation determinations must occur in an environment free from interference, restraint, or coercion. *See* NRS 288.270(1)(a).

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**RELIEF REQUESTED**

Local 1107 respectfully requests that the Board stay all proceedings in Case No. 2025-025 until the prohibited practice complaint, Case No. 2025-28, is fully resolved. In the alternative, Local 1107 respectfully requests that the Board consolidate Case Nos. 2025-25 and 2025-28.

DATED this 10th day of December 2025.

**CHRISTENSEN JAMES & MARTIN, CHTD.**

By: /s/ Dylan J. Lawter  
Dylan J. Lawter, Esq.  
Nevada Bar No. 15947  
7440 W. Sahara Avenue  
Las Vegas, NV 8911  
*Attorneys for Local 1107*

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 10, 2025, I caused a true and correct copy of the foregoing Motion to Stay or in the Alternative Motion to Consolidate to be filed via email, as follows:

Employee-Management Relations Board  
[emrb@business.nv.gov](mailto:emrb@business.nv.gov)

I hereby certify that on December 10, 2025, I served a true and correct copy of the foregoing I hereby certify that on December 10, 2025, I caused a true and correct copy of the foregoing Motion to Stay or in the Alternative Motion to Consolidate to be served upon the following:

Water Reclamation District Employees Association  
Jeffery F. Allen, Esq.  
2941 Camelo Drive  
Henderson, NV 89051

Clark County Water Reclamation District  
5857 East Flamingo Road  
Las Vegas, NV 89122

**CHRISTENSEN JAMES & MARTIN, CHTD.**

By:       /s/ Natalie Larson        
Natalie Larson

**WRDEA (Petitioner)**

**Opposition to SEIU's Motion to Stay,  
or, Alternatively, Motion to Consolidate**

FILED  
December 18, 2025  
State of Nevada  
E.M.R.B.  
9:57 a.m.

1 JEFFREY F. ALLEN, ESQ.  
2 Nevada Bar No. 9495  
3 2941 Carmelo Drive  
4 Henderson, NV 89052  
5 Phone: (702) 595-1127  
6 Email: jeffreyfallen@aol.com

7 Attorney for Petitioner,  
8 Water Reclamation District Employees Association

9 STATE OF NEVADA  
10 GOVERNMENT EMPLOYEE-MANAGEMENT  
11 RELATIONS BOARD

12 \* \* \* \*

13 WATER RECLAMATION DISTRICT ) CASE NO.: 2025-025  
14 EMPLOYEES ASSOCIATION )  
15 )  
16 ) Petitioner, )  
17 )  
18 ) vs. )  
19 )  
20 ) **WRDEA'S OPPOSITION TO SEIU'S**  
21 ) **MOTION TO STAY, OR,**  
22 ) **ALTERNATIVELY, MOTION TO**  
23 ) **CONSOLIDATE**  
24 )  
25 ) CLARK COUNTY WATER )  
26 ) RECLAMATION DISTRICT and SERVICE )  
27 ) EMPLOYEES INTERNATIONAL UNION, )  
28 ) LOCAL #1107, )  
29 ) Respondents. )  
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COMES NOW, Water Reclamation District Employees Association ("WRDEA"), by and through its counsel, Jeffrey F. Allen, Esq., and submits the following Opposition to Service Employees International Union, Local #1107's ("SEIU") Motion to Stay, or, Alternatively, Motion to Consolidate.

**I. INTRODUCTION**

WRDEA was organized as a union on September 28, 2025. Its goal is to become the exclusive bargaining agent for the supervisory employees of the Clark County Water Reclamation District ("CCWRD"). WRDEA's goal is the product of a consensus among such employees that SEIU was not adequately representing their interests. After organizing, WRDEA

1 leadership began communicating with their colleagues regarding the possibility of becoming  
2 members. The response was immediate and overwhelming. More than half of the bargaining  
3 unit members promptly joined the WRDEA. Moreover, it appears that SEIU barely continues to  
4 represent a handful of such employees. Consequently, on November 17, 2025, WRDEA  
5 petitioned this Board to have WRDEA replace SEIU as the exclusive bargaining agent for such  
6 employees. Rather than accept that it no longer speaks for anything close to a majority of  
7 bargaining unit members, SEIU has initiated a frivolous Prohibited Practices Complaint against  
8 WRDEA. This is nothing but an attempt to delay the inevitable and to maliciously drive up the  
9 costs and fees that WRDEA will have to expend in order to secure its rightful status as the  
10 exclusive bargaining agent for supervisory employees of CCWRD. Given that there is no legal  
11 or factual basis to stay WRDEA's Petition or to consolidate SEIU's Complaint with WRDEA's  
12 Petition, SEIU's motion to stay/consolidate should be denied.

## 13 **II. ARGUMENT**

14 SEIU has offered no legal basis to support its motion to stay/consolidate and that is  
15 because there is none. In its moving papers, SEIU cited to *NLRB vs. Gissel Packing Co.*, 395  
16 U.S. 575, 602 (1969) but that case is inapposite to the dispute herein. In *Gissel Packing Co.*, the  
17 United States Supreme Court held that when a majority of bargaining unit employees sign  
18 unambiguous union interest cards, an employer cannot respond by engaging in coercive conduct  
19 (such as threatening employees with negative outcomes for joining a union) and then seek to  
20 compel an election. The facts in *Gissel Packing Co.* have nothing in common with the matter  
21 herein in which WRDEA can and will demonstrate that a majority of bargaining unit employees  
22 are dues paying members and that almost no bargaining unit employees want to be represented  
23 by SEIU. In other words, the matter herein has nothing to do with a situation in which an  
24 employer is trying to prevent its employees from joining a union.

25 Tellingly, SEIU didn't even set forth the legal standard that this Board assesses when  
26 deciding whether to consolidate two cases. That standard is specified in NAC §288.275(1)  
27 which states: "The Board may consolidate two or more cases in any one hearing when it appears  
28 that the issues are substantially the same and that the rights of the parties will not be prejudiced

1 by a consolidated hearing.” Here, even assuming SEIU’s Complaint against WRDEA had any  
2 merit (which it doesn’t), the facts and law presented by the matter have nothing in common with  
3 WRDEA’s Petition. Put another way, even if this Board were to find that SEIU’s Complaint had  
4 any merit, it would not obviate the need for this Board to assess which union the majority of  
5 bargaining unit members prefer to represent them as their exclusive bargaining agent. Whether  
6 that is done through a formal election or based on evidence submitted in writing shall be up to  
7 this Board. But delaying that assessment to litigate SEIU’s Complaint- which will ultimately be  
8 proven to have been brought in bad faith- would make no sense. Given that the issues in SEIU’s  
9 Complaint and WRDEA’s Petition have nothing in common, SEIU’s motion to stay/consolidate  
10 should be rejected.

11 **III. CONCLUSION**

12 For the foregoing reasons, the WRDEA respectfully requests that this Board deny SEIU’s  
13 Motion to Stay, or, Alternatively, Motion to Consolidate.

14 Dated: December 18, 2025

15 By:   
16 JEFFREY F. ALLEN, ESQ.  
17 Nevada Bar No. 9495  
18 Attorneys for Complainant,  
19 Water Reclamation District Employees Association  
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**SEIU Local 1107 (Respondent)**

**Reply in Support of Motion to Stay, or,  
Alternatively, Motion to Consolidate**

1 **CHRISTENSEN JAMES & MARTIN, CHTD.**  
2 EVAN L. JAMES, ESQ. (7760)  
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9 *Attorneys for Local 1107*

FILED  
January 2, 2026  
State of Nevada  
E.M.R.B.  
2:59 p.m.

6 **STATE OF NEVADA**  
7 **GOVERNMENT EMPLOYEE-MANAGEMENT**  
8 **RELATIONS BOARD**

9 WATER RECLAMATION DISTRICT  
10 EMPLOYEES ASSOCIATION

11 Petitioner,

12 vs.

13 CLARK COUNTY WATER  
14 RECLAMATION DISTRICT and SERVICE  
15 EMPLOYEES INTERNATIONAL UNION,  
16 LOCAL 1107,

Respondents.

CASE NO.: 2025-025

**REPLY IN SUPPORT OF MOTION  
TO STAY OR, ALTERNATIVELY,  
MOTION TO CONSOLIDATE**

17 Nevada Service Employees Union, aka SEIU Local 1107, by and through its  
18 counsel, hereby replies in support of its Motion to Stay or, Alternatively, Motion to  
19 Consolidate filed on December 10, 2025. This Reply is based on the following  
20 memorandum of points and authorities and any oral argument heard by the Board.

21 **A. The Board should stay or consolidate.<sup>1</sup>**

22 This case should be stayed to allow the Board to rule on Local 1107's prohibited  
23 practices complaint (Case No. 2025-028). Because allegations in Local 1107's complaint  
24 are plausible, as shown by the Association's admissions in its answer to Local 1107's  
25 complaint,<sup>2</sup> then it would be prudent for the Board to consider and rule upon those

26 \_\_\_\_\_  
<sup>1</sup> Terms defined in the motion will also be used herein.

27 <sup>2</sup> For example, the Association admitted in its answer that (i) it held an organizational  
meeting in WRD's conference room and (ii) the Association's meeting was advertised as

1 allegations before entertaining the Association’s petition in this case. As stated in the  
2 Motion to Stay, there is a serious concern about the material support provided to the  
3 Association by WRD. The Association should not get the benefit of poisoning the well in  
4 cahoots with WRD in an attempt to oust Local 1107 as the bargaining agent without a full  
5 and fair hearing on the prohibited practices alleged by Local 1107. A stay would  
6 therefore be the most appropriate course of action.

7         However, consolidation would also be proper here.<sup>3</sup> As stated in Local 1107’s  
8 motion, citing NAC 288.275, consolidating cases where their outcomes are intricately  
9 intertwined falls within the mandate to “take such action and make such determinations  
10 as are necessary to carry out the provisions of [NRS Chapter 288].” *See* NRS 288.110(2).  
11 NAC 288.275(1) states, “The Board may consolidate two or more cases in any one  
12 hearing when it appears that *the issues are substantially the same* and that *the rights of*  
13 *the parties will not be prejudiced* by a consolidated hearing” (emphasis added). The  
14 issues are the same between the petition in this case and the complaint in Case No. 2025-  
15 028: not that both parties are seeking the same relief, but the outcome of the issues  
16 alleged in the prohibited practices complaint will have a direct effect on whether the  
17 petition was submitted to the Board under appropriate circumstances. The issues are  
18 therefore intricately intertwined. The rights of the parties also will not be prejudiced by a  
19 consolidated hearing. A consolidated hearing will allow the Board to assess all issues in  
20 one setting, rather than in separate parts. Currently, the timing in both cases for purposes  
21 of motion practice is aligned. If there were several months between the Association’s  
22 petition and Local 1107’s complaint, there may be a valid argument against consolidation  
23 due to prejudice; however, given the timing of these two cases being well in sync, no

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24 a luncheon over the period of almost 1.5 hours with the purpose of discussing the  
25 Association’s mission.

26 <sup>3</sup> Despite its argument in opposition, the Association’s actions indicate agreement that  
27 consolidation is appropriate. On December 18, 2025, the Association filed and served  
documents for both cases (an answer, a motion, and its opposition to this motion) in one  
email, instead of keeping everything separate.



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**CERTIFICATE OF SERVICE**

I hereby certify that on January 2, 2026, I caused a true and correct copy of the foregoing Reply in Support of Motion to Stay or, Alternatively, Motion to Consolidate to be filed via email, as follows:

Employee-Management Relations Board  
[emrb@business.nv.gov](mailto:emrb@business.nv.gov)

I hereby certify that on January 2, 2026, I served a true and correct copy of the foregoing Reply in Support of Motion to Stay or, Alternatively, Motion to Consolidate to be served upon the following:

Water Reclamation District Employees Association  
c/o Jeffery F. Allen, Esq.  
[jeffreyfallen@aol.com](mailto:jeffreyfallen@aol.com)  
*Counsel for the Association*

Clark County Water Reclamation District  
c/o Fisher & Phillips LLP  
Mark J. Ricciardi, Esq.  
[mricciardi@fisherphillips.com](mailto:mricciardi@fisherphillips.com)  
*Counsel for WRD*

**CHRISTENSEN JAMES & MARTIN, CHTD.**

By:           /s/ Dylan Lawter            
Dylan Lawter

**CCWRD (Respondent)**

**Opposition to SEIU's Motion to Stay,  
or, Alternatively, Motion to Consolidate**

FILED  
January 16, 2026  
State of Nevada  
E.M.R.B.  
4:25 p.m.

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9 Attorneys for Respondent Clark County Water Reclamation District

7 **STATE OF NEVADA**

8 **EMPLOYEE-MANAGEMENT RELATIONS BOARD**

9 WATER RECLAMATION DISTRICT ) Case No.: 2025-025  
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17 **CLARK COUNTY WATER RECLAMATION DISTRICT'S OPPOSITION TO**  
18 **SEIU'S MOTION TO STAY OR ALTERNATIVELY MOTION TO**  
19 **CONSOLIDATE**

20 Respondent, Clark County Water Reclamation District ("CCWRD" or the  
21 "Respondent"), by and through its counsel of record, Mark J. Ricciardi, Esq., of the law  
22 offices of Fisher & Phillips LLP, hereby submits the following Opposition to Service  
23 Employees International Union, Local #1107's ("SEIU" or the "Union") Motion to Stay  
24 Or, Alternatively Motion to Consolidate (the "Motion").

25 **I. ARGUMENT**

26 The SEIU and CCWRD are parties to a 2-year collective bargaining agreement  
27 ("CBA") set to expire on June 30, 2026. This means that bargaining over the successor  
28 CBA will be slated to begin in February or March 2026, only a few short weeks from the

FISHER & PHILLIPS LLP  
300 S Fourth Street, Suite 1500  
Las Vegas, Nevada 89101

1 date of this filing (January 16, 2026). The instant Petition in Case No. 2025-025 was  
2 filed by the Water Reclamation District Employees Association (“WRDEA” or the  
3 “Association”) on November 17, 2025, seeking withdrawal of recognition of SEIU as the  
4 exclusive bargaining agent for the supervisory employees of CCWRD. Based on the  
5 assertions in the Petition, there is now an outstanding dispute over what organization  
6 (SEIU or WRDEA) represents a majority of the supervisory bargaining unit members.  
7 While this question remains outstanding, there is great uncertainty and labor strife, and  
8 this will almost certainly frustrate the negotiations of any successor CBA. Thus, it is in  
9 the best interests of all parties to resolve this question as quickly as possible. A stay of  
10 many months to resolve a baseless prohibited practices complaint would not be in the best  
11 interest of labor peace and stability within CCWRD’s supervisors. Consolidating the  
12 cases would not change the outcome, as resolving the prohibited practices complaint  
13 would still require many months of motion practice, pre-hearing statements, hearing  
14 dates, and post-hearing briefing. Therefore, the Employee Management Relations Board  
15 (“EMRB” or the “Board”) should deny the Motion in the interest of expediency and  
16 judicial efficiency.

17         Second, SEIU has not provided a sufficient legal or factual basis in its Motion to  
18 support a stay or consolidation, as it has failed to demonstrate that these matters involve  
19 overlapping factual or legal issues. The Motion’s citation to *NLRB vs. Gissel Packing*  
20 *Co.*, 395 U.S. 575,602 (1969) is inapplicable to the current matter. In *Gissel Packing Co.*,  
21 the United States Supreme Court focused on an employer’s response to a petition being  
22 coercive conduct trying to prevent its employees from joining a union. Here, all of the  
23 conduct alleged in the Complaint (which CCWRD denies) is alleged to have occurred  
24 before November 17, 2025—the date the Petition was filed.

25         The Motion also fails to state, much less support, the legal standard for  
26 consolidating two cases. The standard for consolidation is specified in NAC 288.275(1)  
27 which states: “The Board may consolidate two or more cases in any one hearing when it  
28 appears that the issues are substantially the same and that the rights of the parties will not

1 be prejudiced by a consolidated hearing.” Here, even assuming the Complaint had any  
2 merit (which it does not), the facts and law presented by the Complaint have nothing in  
3 common with facts and law at issue in the Petition, and therefore, resolution of the  
4 Complaint would not eliminate the separate need for the Board to determine which  
5 organization the majority of bargaining unit members prefer to represent them as their  
6 exclusive bargaining agent. Given that the issues in the Complaint and the Petition do not  
7 overlap, the Board should deny SEIU’s Motion for this additional reason.

8 Finally, concurrent with the filing of this Opposition, CCWRD has filed an  
9 Answer and Motion to Dismiss the Prohibited Practices Complaint in Case No. 2025-028  
10 (the “Complaint”), as the Complaint fails to support any actionable claims of unlawful  
11 assistance or interference and/or failure to bargain against CCWRD (the “Employer”).  
12 Only actionable claims against CCWRD would serve as a basis to believe there was  
13 interference with the employees’ free choice. Here, the stated evidence supporting the  
14 Petition is that the majority of bargaining unit members have stopped paying dues to  
15 SEIU and instead have started paying dues to the Association. Pet. ¶ 6. Absent claims  
16 of employer interference, there is no evidence to suggest that choosing to switch which  
17 organization the employee pays monthly dues to was not a manifestation of the  
18 employee’s free choice.

19 The Complaint only contains allegations of administrative or ministerial acts,  
20 which do not amount to the assistance necessary to state an actionable claim. As to the  
21 second cause of action against CCWRD for bad faith bargaining, that cause of action is  
22 based on demonstrably false factual assertions, which are readily contradicted by the  
23 public record and which the Union’s own representatives know to be false statements.  
24 There is a strong likelihood that the Board will grant CCWRD’s Motion to Dismiss  
25 CCWRD as a party, which would in turn remove any basis to argue that any election  
26 resulting from the Petition would not be the best method of ensuring the employees’ free  
27 choice between two rival organizations. Therefore, in the alternative, the Board should  
28

1 only stay this resolution of the Petition until the Board has ruled on CCWRD’s Motion to  
2 Dismiss.

3 **II. CONCLUSION**

4 For the foregoing reasons, CCWRD respectfully requests that this Board deny  
5 SEIU’s Motion to Stay, or, Alternatively, Motion to Consolidate. In the alternative,  
6 CCWRD requests that the Board only stay the resolution of the Petition pending the  
7 Board’s decision on CCWRD’s Motion to Dismiss CCWRD as a party to the Complaint.

8 DATED this 16<sup>th</sup> day of January, 2026.

9 FISHER & PHILLIPS, LLP

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/s Mark J. Ricciardi, Esq.  
MARK J. RICCIARDI, ESQ.  
300 South Fourth Street  
Suite 1500  
Las Vegas, Nevada 89101  
*Attorneys for Respondent Clark County  
Water Reclamation District*

**FISHER & PHILLIPS LLP**  
300 S Fourth Street, Suite 1500  
Las Vegas, Nevada 89101

**CERTIFICATE OF ELECTRONIC SERVICE**

1  
2 This is to certify that on the 16<sup>th</sup> day of January, 2026, the undersigned, an  
3 employee of Fisher & Phillips LLP, electronically served the foregoing **CLARK**  
4 **COUNTY WATER RECLAMATION DISTRICT'S OPPOSITION TO SEIU'S**  
5 **MOTION TO STAY OR, ALTERNATIVELY, MOTION TO CONSOLIDATE** to  
6 EMRB (emrb@business.nv.gov) and the following:  
7

8 JEFFREY F. ALLEN, ESQ.  
9 2941 Carmelo Drive  
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12 EVAN L. JAMES, ESQ.  
13 DYLA J. LAWTER, ESQ.  
14 7440 W. Sahara Avenue  
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By: /s/ Darhyl Kerr  
An employee of Fisher & Phillips LLP

**SEIU Local 1107 (Respondent)**

**Reply in Support of Motion to Stay, or,  
Alternatively, Motion to Consolidate**

FILED  
February 2, 2026  
State of Nevada  
E.M.R.B.  
4:26 p.m.

1 CHRISTENSEN JAMES & MARTIN, CHTD.  
2 EVAN L. JAMES, ESQ. (7760)  
3 DYLAN J. LAWTER, ESQ. (15947)  
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9 Attorneys for Local 1107

6 STATE OF NEVADA  
7 GOVERNMENT EMPLOYEE-MANAGEMENT  
8 RELATIONS BOARD

9 WATER RECLAMATION DISTRICT  
10 EMPLOYEES ASSOCIATION

CASE NO.: 2025-025

11 Petitioner,

REPLY IN SUPPORT OF MOTION  
TO STAY OR, ALTERNATIVELY,  
MOTION TO CONSOLIDATE

12 vs.

13 CLARK COUNTY WATER  
14 RECLAMATION DISTRICT and SERVICE  
15 EMPLOYEES INTERNATIONAL UNION,  
16 LOCAL 1107,

Respondents.

17 Nevada Service Employees Union, aka SEIU Local 1107, by and through its  
18 counsel, hereby replies in support of its Motion to Stay or, Alternatively, Motion to  
19 Consolidate (the "Motion") filed on December 10, 2025. This Reply is based on the  
20 following memorandum of points and authorities and any oral argument heard by the  
21 Board.

22 A. The Board should stay or consolidate.<sup>1</sup>

23 WRD has mistakenly sought to frame the issue by claiming the only dispute  
24 concerns what organization represents a majority of the supervisory bargaining unit  
25 members. The principal issue is whether or not the employees have been given a free and  
26 fair opportunity to choose a bargaining representative in the first place, without being

27 \_\_\_\_\_  
<sup>1</sup> Terms defined in the motion will also be used herein.

CHRISTENSEN JAMES & MARTIN, CHTD.  
7440 WEST SAHARA AVE., LAS VEGAS, NEVADA 89117  
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1 influenced by the Association's actions combined with WRD's actions. Based on the  
2 information available to Local 1107, there is reason to believe those parties engaged in  
3 practices that caused undue influence in favor of the Association. In its Opposition, WRD  
4 makes a number of conclusory statements by claiming that Local 1107's complaint is  
5 baseless and asserting conclusions of law without support. Many of the arguments raised  
6 by WRD have already been addressed by Local 1107 in other briefs, so they will not be  
7 repeated here. The following arguments are therefore incorporated by reference:

- 8 1. Local 1107 has provided the legal basis and standard to stay this case or  
9 consolidate it with Case No. 2025-028. *See* Motion (dated Dec. 10, 2025) at 2;  
10 *see also* Reply In Support of Motion (dated Jan. 2, 2026) at 2; and
- 11 2. The factual basis for the Motion is also laid out in the prohibited practices  
12 complaint itself (dated Dec. 9, 2025) at ¶¶ 12-44, as well as the Opposition to  
13 WRD's Motion to Dismiss filed in Case No. 2025-028 (dated Jan. 30, 2026) at  
14 2:4-17, 5:20-6:4, 6:9-20, and 8:6-15. These facts include WRD's provision of  
15 electronic communications, physical facilities, and pay to those who attended  
16 the Association's organizational meetings.

17 This case should be stayed, or consolidated with Case No. 2025-028, to allow the  
18 Board to rule on Local 1107's prohibited practices complaint. WRD claims that there is  
19 "stated evidence supporting" the Association's petition; however, allegations are not  
20 evidence. *See Bowers v. Bowers*, 304 S.C. 65, 68, 403 S.E.2d 127, 129 (Ct. App. 1991)  
21 ("Mere allegations, denied by the other party, are not evidence."). The Board needs to  
22 collect and review evidence to determine whether the employees have a fair and  
23 uncoerced opportunity to select a representative of their choice. The fact that WRD, in  
24 these proceedings, is arguing on behalf of the Association is itself an indication that  
25 WRD has selected a side. This is also made manifest by WRD's joinder to the  
26  
27

1 Association's opposition to this Motion.<sup>2</sup> The side WRD selected is the Association,  
2 which tends to indicate that the allegations contained in Local 1107's complaint are likely  
3 true.

4 The question for the Board to resolve is whether WRD's actions, in conjunction  
5 with the Association, amount to prohibited practices. Only upon answering that question  
6 can the Board properly rule upon the Association's petition in this case.

7 **B. Conclusion**

8 Resolution of the prohibited practices alleged in Local 1107's complaint in Case  
9 No. 2025-028 is a necessary precondition to resolving the petition filed by the  
10 Association in this case, because the allegations strike at the heart of the Association's  
11 legitimacy. However, to the extent the Board would prefer to dispose of these cases  
12 together due to their connection, consolidation of Case Nos. 2025-025 and 2025-028 is  
13 appropriate. Accordingly, the Board should grant Local 1107's motion to stay or,  
14 alternatively, motion to consolidate.

15 DATED this 2nd day of February, 2026.

16 **CHRISTENSEN JAMES & MARTIN, CHTD.**

17 By: /s/ Dylan J. Lawter  
18 Dylan J. Lawter, Esq. (15947)  
19 7440 W. Sahara Avenue  
20 Las Vegas, NV 89117  
21 *Attorneys for Local 1107*

22  
23  
24 <sup>2</sup> A disinterested employer would presumably show up and agree that employees need a  
25 free and fair opportunity to select a bargaining representative of their choice. Although  
26 the employer would likely claim it engaged in no wrongdoing, it would also encourage  
27 the Board to engage in the process to determine that the choice made by the employees  
was in fact free and fair. That is not what is happening here. Rather, WRD is seeking to  
get Local 1107 out of the way to allow WRD to bargain with the Association short of any  
such determination by the Board.

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 2, 2026, I caused a true and correct copy of the foregoing Reply in Support of Motion to Stay or, Alternatively, Motion to Consolidate to be filed via email, as follows:

Employee-Management Relations Board  
[emrb@business.nv.gov](mailto:emrb@business.nv.gov)

I hereby certify that on February 2, 2026, I served a true and correct copy of the foregoing Reply in Support of Motion to Stay or, Alternatively, Motion to Consolidate to be served upon the following:

Water Reclamation District Employees Association  
c/o Jeffery F. Allen, Esq.  
[jeffreyfallen@aol.com](mailto:jeffreyfallen@aol.com)  
*Counsel for the Association*

Clark County Water Reclamation District  
c/o Fisher & Phillips LLP  
Mark J. Ricciardi, Esq.  
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*Counsel for WRD*

**CHRISTENSEN JAMES & MARTIN, CHTD.**

By:           /s/ Dylan Lawter            
Dylan Lawter