

FILED
March 13, 2026
State of Nevada
E.M.R.B.
2:54 p.m.

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

9 WATER RECLAMATION DISTRICT EMPLOYEES ASSOCIATION, 10 11 Petitioner,	Case No. 2025-025 (Consolidated with Case No. 2025-028)
12 vs.	
13 CLARK COUNTY WATER RECLAMATION DISTRICT and SERVICE EMPLOYEES INTERNATIONAL UNION, 14 LOCAL 1107, 15 Respondents.	LOCAL 1107'S REQUEST FOR INFORMATION
16 17 NEVADA SERVICE EMPLOYEES UNION, 18 Complainant,	Case No. 2025-028
19 vs.	
20 WATER RECLAMATION DISTRICT EMPLOYEES ASSOCIATION and CLARK 21 COUNTY WATER RECLAMATION DISTRICT, 22 Respondents.	

23 Nevada Service Employees Union, aka Service Employees International Union,
24 Local 1107 ("Union" or "Local 1107"), by and through its counsel, Christensen James &
25 Martin, hereby requests that the Board provide the following information:

- 26 1. Documents and information that Water Reclamation District Employees
27 Association ("Association") submitted to the Employee-Management Relations Board

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1 (“EMRB”) on or around February 24, 2026, including the Association membership cards
2 for Supervisory Employees of the Clark County Water Reclamation District (“WRD”).

3 2. Documents and information that WRD submitted to the Board on or
4 around March 2, 2026, including the following:

- 5 a. The complete roster of employees in the bargaining unit for
6 Supervisory Employees of the WRD as of February 19, 2026; and
7 b. List of Local 1107 members for whom dues are being deducted as
8 of February 19, 2026.

9 3. Any and all information and documents in the possession of the EMRB
10 that supports its Audit Report filed on March 12, 2026.

11 Local 1107 informally requested this information from the EMRB before this
12 request was filed. EMRB’s representatives denied the request without referencing any
13 statute, rule, or prior decision prohibiting the disclosure of information of the types
14 requested above. Local 1107 was then invited to make this formal request.

15 If provided, the information requested will allow Local 1107 to streamline the
16 proceedings to be held before the Board to resolve the above-captioned cases. Local 1107
17 is aware of no provision under NRS 288, NAC 288, NRS 239 (Nevada Public Records
18 Act), or any other statute or regulation prohibiting the EMRB’s disclosure of the
19 information requested. Please provide this information at your earliest convenience.

20 DATED this 12th day of March, 2026.

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

22 By: /s/ Dylan J. Lawter
23 Dylan J. Lawter, Esq.
24 Nevada Bar No. 15947
25 7440 W. Sahara Avenue
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27 *Attorneys for Local 1107*

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CERTIFICATE OF FILING & SERVICE

I hereby certify that on March 12, 2026, I caused a true and correct copy of the foregoing Request for Information to be filed via email, as follows:

Employee-Management Relations Board
emrb@business.nv.gov

I hereby certify that on March 12, 2026, I served a true and correct copy of the foregoing Request for Information on Respondents via email only to the following:

Water Reclamation District Employees Association
c/o Jeffery F. Allen, Esq.
jeffreyfallen@aol.com
Counsel for the Association

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

CHRISTENSEN JAMES & MARTIN, CHTD.

By: /s/ Dylan Lawter
Dylan Lawter

CCWRD (Respondent)

**Respondent CCWRD's Objection to Local
1107's Request for Information**

FILED
March 30, 2026
State of Nevada
E.M.R.B.
9:28 a.m.

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8 Attorneys for Respondent Clark County Water
Reclamation District

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

11 WATER RECLAMATION DISTRICT
EMPLOYEES ASSOCIATION,

EMRB Case No.: 2025-025

Consolidated with Case No. 2025-028

12
13 Petitioner,

14 vs.

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

**RESPONDENT CLARK COUNTY
WATER RECLAMATION
DISTRICT'S OBJECTIONS TO
LOCAL 1107'S REQUEST FOR
INFORMATION**

17 Respondents.

18
19 NEVADA SERVICE EMPLOYEES
UNION,

20
21 Complainant,

22 v.

23 WATER RECLAMATION DISTRICT
EMPLOYEES ASSOCIATION, and
24 CLARK COUNTY WATER
RECLAMATION DISTRICT

25 Respondents
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FP 62726443.2

1 Clark County Water Reclamation District (“CCWRD” and/or “District”), by and
2 through its undersigned counsel, Mark J. Ricciardi, Esq., and Allison L. Kheel, Esq., of
3 the law offices of Fisher & Phillips LLP, hereby files its Objections to Service
4 Employees International Union, Local 1107 (“SEIU” or “Local 1107” or “Union”)’s
5 Request for Information.

6 **I. BACKGROUND FACTS**

7 This matter arises from a Petition filed on November 17, 2025, by members of
8 CCWRD’s supervisory bargaining unit, seeking withdrawal of recognition from the
9 SEIU and requesting recognition of the Water Reclamation District Employees
10 Association (“WRDEA” or “Association”) as their new exclusive bargaining
11 representative. Pursuant to the February 23, 2026 Order from the Employee-
12 Management Relations Board (“EMRB” or the “Board”), on February 24, 2026 WRDEA
13 produced to the EMRB (1) an Excel spreadsheet list of employees in the bargaining unit
14 who are already members of WRDEA; (2) copies of the signed membership cards; and
15 (3) a blank membership card; and on March 2, 2026, the CCWRD produced to the
16 EMRB: (1) a list of the employees who belong to the Bargaining Unit and (2) a list of
17 employees identified as SEIU members for whom dues were being deducted.

18 On March 12, 2026, the Board filed its Audit Report concluding “With 20 valid
19 cards out of 39 employees, EMRB staff concluded that WRDEA has demonstrated
20 support from 51% of the unit.” Audit Report at *4. The Audit Report also states “The
21 scope of this audit does not extend to verification of the authenticity of any signatures on
22 the membership cards, nor did the staff conduct interviews with signatories to determine
23 whether any signature may have been obtained improperly or in violation of applicable
24 law.” Audit Report at *4. The blank copy of the membership card provided by WRDEA
25 was attached as Exhibit 1 to the Audit Report.

26 On March 13, 2026, SEIU filed a Request for Information (“RFI”) requesting the
27 Board provide it with the following: (1) “documents and information that [WRDEA]
28

1 submitted to the [EMRB] on or around February 24, 2026, including Association
2 membership cards for Supervisory Employees of the [CCWRD];” (2) “Documents and
3 information that [CCWRD] submitted to the Board on or around March 2, 2026,
4 including the following: (a) The complete roster of employees in the bargaining unit for
5 Supervisory Employees of the WRD as of February 19, 2026; and (b) List of Local 1107
6 members for whom dues are being deducted as of February 19, 2026;” and (3) “Any and
7 all information and documents in the possession of the EMRB that supports its Audit
8 Report filed on March 12, 2026.” The RFI also states that the EMRB’s representatives
9 denied Local 1107’s informal request for the above information. The CCWRD hereby
10 objects to the Board providing any of the requested information.

11 **II. OBJECTIONS TO UNION’S REQUEST FOR INFORMATION**

12 The Board should not produce the requested information because it is
13 unnecessary; and because producing such information would hinder the Petition, breach
14 the confidentiality of those individuals who signed cards, expose signatories to retaliation
15 or coercion, and would destroy the “laboratory conditions” the Board is charged with
16 protecting.

17 First, the information sought in the RFI is unnecessary. The information which
18 the CCWRD produced to the Board is already information within the possession of SEIU.
19 As the currently certified bargaining representative of the CCWRD’s Supervisory
20 Bargaining Unit, SEIU should be well aware of the employees it represents and the
21 individuals on whose behalf it is receiving dues. And, on the off chance SEIU was
22 somehow unaware of this information, SEIU could simply send CCWRD a request for
23 this information, and CCWRD would be obligated to respond. Therefore, there is no
24 need for the Board to provide this confidential information.

25 The sole purpose SEIU could have for requesting copies of the signed
26 membership cards would be to learn the names of the individuals in the bargaining unit
27 who support WRDEA. The Audit Report provided a blank copy of the membership card
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1 so SEIU can verify that there is nothing in the text of the membership card that would be
2 misleading to an employee who might have signed the card. The Audit Report also
3 makes clear that it is not making any findings as to the validity or authenticity of the
4 signatures on the cards (*i.e.*, no findings as to fraud or forgery), nor is it determining the
5 circumstances under which the signatures were obtained (*i.e.*, no findings of coercion or
6 duress). The RFI does not identify any factual basis for doubting the validity of the
7 cards.¹

8 The cards merely serve to demonstrate a “showing of interest” sufficient to trigger
9 the Board to proceed with a formal representation election, and are not evidence of the
10 employee’s final choice.² Moreover, prior to any election, there will be a period of time
11 during which both the SEIU and WRDEA can campaign for support among bargaining
12 unit members. Employees can change their minds up until the time that they cast their
13 vote in the election, thus there is no reason for the SEIU to know what employees
14 currently may support, or previously may have supported, WRDEA. Knowing the names
15 of the signatories only serves to expose those individuals to being targeted and creates
16 the potential for repercussions.

17 Next, Employees sign cards with the understanding that their identity will remain
18 confidential. If the Board were to disclose such information in this case (in circumstances
19 where there are no allegations of fraud or coercion), such disclosure would have a chilling
20 effect and could deter future employees throughout the State of Nevada from signing
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¹ Even if SEIU had any facts suggesting fraud, forgery, duress or coercion, the Board has additional
23 procedures it can use to address such concerns without needing to disclose the identities of the signatories.

24 ² Section 11021 of the NLRB Casehandling Manual provides “The determination of the extent of interest
25 is a purely administrative matter, wholly within the discretion of the Agency and is not dispositive of
26 whether a representation question exists. While any information offered by a party bearing on the validity
27 and authenticity of the showing should be considered, no party has a right to litigate the subject, either
28 directly or collaterally, including during any representation hearing that may be held. When presented with
supporting evidence that gives the Regional Director reasonable cause to believe that the showing of
interest may have been invalidated, the Regional Director should conduct a further administrative
investigation. Secs. 11028.3, 11029.4, 11184, and 11184.1; *Perdue Farms, Inc.*, 328 NLRB 909 (1999).”
See, e.g., O. D. Jennings & Co., 68 NLRB 516; 518 (1946); *Super Valu, Inc.*, 181 NLRB 698, 698-699
(1970); *NLRB v. Metro-Truck Body, Inc.*, 613 F.2d 746, 750 (9th Cir. 1979) (collecting cases).

1 cards for fear of retaliation, social pressure or negative stigma.³ This in turn would
2 prevent the employee from freely expressing their choice of union representatives (or no
3 union representation at all).

4 In this case the policies and procedures of the National Labor Relations Board
5 (“NLRB”) provide guidance.⁴ The NLRB Administrative Law Judge Bench Book
6 explicitly prohibits obtaining copies of signed union authorization cards. *See* NLRB Div.
7 of Judges Bench Book § 8-455 Identity of Union Supporters (Authorization Cards) (“A
8 respondent may not obtain copies of union authorization cards by subpoena. The identity
9 of card signers is deemed confidential and disclosure would have a ‘potential chilling
10 effect’ on union activity”) citing *National Telephone Directory Corp.*, 319 NLRB 420,
11 421–422 (1995), and *Chino Valley Medical Center*, 362 NLRB 283 n. 1 (2015), *enfd.*
12 *sub nom. United Nurses Associations of California v. NLRB*, 871 F.3d 767 (9th Cir. 2017)
13 (employer violated 8(a)(1) by issuing subpoenas duces tecum to employees seeking
14 union authorization and membership cards, and all documents relating to the distribution
15 and/or solicitation of union authorization cards). This reasoning has been repeatedly
16 upheld in both NLRB and Federal precedent. *Id.*

17 These principles are potentially more important in this situation where there are
18 two unions involved, because employees might fear that the incumbent union could
19 surreptitiously interfere with the employee’s contractual benefits in retaliation for “going
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21 ³ Protection of signatory identity extends beyond just direct requests for card information to include any
22 employer conduct that creates the impression of surveillance or suggests that card signer identities might
23 be discovered. Courts have consistently held that such conduct has a chilling effect on employees’ Section
24 7 rights to engage in union organizing activities. *See Wright Elec., Inc. v. N.L.R.B.*, 200 F.3d 1162
25 (2000); *N.L.R.B. v. Colony Printing and Labeling, Inc.*, 651 F.2d 502 (1981). “For instance, it is entirely
plausible that employees would be ‘chilled’ when asked to sign a union card if they knew the employer
could see who signed” and “the interest in confidentiality which attaches to a union authorization card
approaches that which surrounds the secret ballot in an election.” *Committee on Masonic Homes of R. W.*
Grand Lodge, F. and A. M. of Pennsylvania v. N. L. R. B., 556 F.2d 214 (3rd Cir. 1977) (internal citations
omitted).

26 ⁴ The EMRB often relies on NLRB precedent as persuasive authority. *See AFSCME, Local 4041 v. State*
of Nevada, Dept. of Corrections, EMRB Case No. 2020-002, Item No. 862-B (Apr. 15, 2021). Here, the
27 election procedures set forth in NAC §§ 288.110, 288.115, and 288.120 are similar to the principles and
28 procedures used by the NLRB. Additionally, the rights guaranteed to employees under NRS § 288.140
(and underlying policy considerations) are in line with those rights guaranteed to employees under Section
7 of the National Labor Relations Act. *Compare* 29 U.S.C. § 157 *with* NRS § 288.140.

1 against” the incumbent. Since it is possible the incumbent could remain the bargaining
2 representative following an election, disclosure of signatories would discourage
3 employees from voicing their actual preference in the first place.⁵

4 Based on the above reasoning, the CCWRD objects to SEIU’s RFI and the EMRB
5 should apply the same principles as the NLRB in this case and refuse to disclose the
6 names of signatories and/or copies of signed authorization cards in order to prevent a
7 “chilling effect” on employees right to organize and exposing signatories to potential
8 retaliation and harassment.

9 Dated this 30th day of March, 2026.

10 FISHER & PHILLIPS, LLP

11
12 /s/ Allison L. Kheel
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14 ALLISON LIST KHEEL, ESQ.
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18 *Attorneys for Respondent Clark County*
19 *Water Reclamation District*

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26 ⁵ The incumbent in an election already has an advantage simply because people like consistency and
27 familiarity. Allowing the incumbent to target specific employees would provide the incumbent an unfair
28 advantage over the intervenor. Additionally, disclosure to SEIU that is not also provided to CCWRD
creates an unfair procedural advantage over the employer and destroys the laboratory conditions that are
intended to exist during a campaign and election.

