

FILED
JUN 28 2024
STATE OF NEVADA
E.M.R.B.

EMRB CASE 2024-020

AUDIT REPORT OF THE REQUEST FOR ELECTION

Filed by

**AMERICAN FEDERATION OF STATE, COUNTY AND
MUNICIPAL EMPLOYEES, LOCAL 4041**

For

UNIT C – TECHNICAL EMPLOYEES

Background Information

On June 6, 2024, the American Federation of State, County and Municipal Employees, Local 4041 (“AFSCME”) filed an Application for Designation of AFSCME, Local 4041 as Exclusive Representative of Bargaining Unit C (“Request for Election”) pursuant to NRS 288.525. The purpose of the Request for Election is to seek to be recognized as the exclusive representative of State bargaining unit C. The employees in this bargaining unit are technical employees employed both by the State proper and by the Nevada System of Higher Education (“NSHE”). A list of the job classifications in Unit C is attached as Exhibit 1.

Also submitted by AFSCME concurrent with the Request for Election were the following:

1. An Excel spreadsheet (“List”) of employees in Unit C who are already members of AFSCME or who have signed authorization cards, called conversion cards. The Excel spreadsheet delineates for each person on the list whether they are a member or a signee of a conversion card. The List also designated each employee as working for the State or NSHE.
2. Three binders containing copies of membership cards;
3. Two binders containing copies of conversion cards; and
4. A Declaration of E.J. Serrano in support of the Request for Election stating that the materials provided were authentic and correct.

Separate from the above, the EMRB received a clean copy of the various types of cards, copies of which are attached as Exhibit 2.

Subsequent to the filing of the Request for Election and backup materials, AFSCME sent additional conversion cards on two occasions. These additional conversion cards were not included in the audit.

State Law

The relevant statute is NRS 288.525. Section 1 speaks to the situation in which a bargaining unit does not have a labor organization designated as an exclusive representative. Conversely, section 2

addresses the situation in which a bargaining unit already has a labor organization designated as an exclusive representative. Section 1 applies in this instance as Unit C is currently unrepresented.

NRS 288.525 Requirements for designating labor organization as exclusive representative for bargaining unit following election.

1. If no labor organization is designated as the exclusive representative of a bargaining unit, the Board shall order an election to be conducted within the bargaining unit if:

(a) A labor organization files with the Board a written request for an election which includes a list of its membership or other evidence showing that it has been authorized to serve as a representative by at least 30 percent but not more than 50 percent of the employees within the bargaining unit; and

(b) No other election to choose, change or discontinue representation has been conducted within the bargaining unit during the immediately preceding 12 months.

2. If the Board designates a labor organization as the exclusive representative of a bargaining unit following an election pursuant to subsection 1 or pursuant to NRS 288.520, the Board shall order an election:

(a) If either:

(1) Another labor organization files with the Board a written request for an election which includes a list of its membership or other evidence showing that the labor organization has been authorized to serve as a representative by at least 50 percent of the employees within the bargaining unit; or

(2) A group of employees within the bargaining unit files with the Board a written request for an election which includes a list or other evidence showing that more than 50 percent of the employees within the bargaining unit have requested that an election be conducted to change or discontinue representation;

(b) If applicable, the request filed pursuant to paragraph (a) is filed not more than 270 days and not less than 225 days before the date on which the current collective bargaining agreement in effect for the bargaining unit expires; and

(c) If no other election to choose, change or discontinue representation has been conducted within the bargaining unit during the immediately preceding 12 months.

Methodology

In addition to using the documents submitted by AFSCME, staff also obtained four additional documents: two from the State Division of Human Resource Management and two from human resources within NSHE. The first document from the State was a spreadsheet of all classified employees currently employed by the State as of June 13, 2024 ("State Master Roster"). The spreadsheet not only contains the names of classified employees but also contains, among other information, each employee's job title and code. Staff extracted from this document the job classifications found in the list in Exhibit 1 and the resulting document was entitled the State Unit C Roster.

The second document was a spreadsheet of all classified employees currently having dues to AFSCME withheld from their paychecks (“AFSCME Dues List”). This spreadsheet was also dated as of June 13, 2024. Like the first document, this document was also filtered for the job classifications only within Unit C. This second document was entitled the State Unit C Dues List.

The EMRB also received two documents from NSHE. Both were similar to the two documents received from the State DHRM and both were also filtered for just job classifications within Unit C. These were entitled NSHE Unit C Roster and NSHE Unit C Dues List. The former was dated as of June 17, 2024 while the latter was dated as of June 14, 2024.

For those that AFSCME contends were members staff first checked to see whether the employee on the List was either on the State Unit C Roster or the NSHE Unit C Roster. For those that were, EMRB staff then also checked to see whether that person was having dues deducted by either the State or NSHE, which could be determined by looking at either the State Unit C Dues List or the NSHE Unit C Dues List.

For those individuals that AFSCME contends were not yet members but had duly signed a conversion card, staff first compared each name on the List (provided by AFSCME) to a conversion card to ensure that such a card existed. In this regard EMRB staff found several individuals who had signed more than one conversion card. In these instances EMRB staff used the most recently signed card. EMRB staff then checked to see whether the employee on the List was also on the State Unit C Roster or the NSHE Unit C Roster. Each conversion card was also reviewed for both a date within the prior 12 months as well as a signature on the card. Staff noted the dates of conversion cards older than 12 months as this was an issue raised by AFSCME in its Request for Election (and which is addressed below).

Limitations on the Audit

The audit only looked at the four corners of the conversion cards, the documents provided by AFSCME and the spreadsheets as provided by the State and NSHE. The audit did not seek to verify the accuracy of any of the signatures on the authorization cards nor did the staff conduct any interviews of

those signing authorization cards for the purpose of determining whether a given employee's signature may have been unlawfully obtained.

Audit Results

Below are the results of the audit:

Table 1: Size of Bargaining Unit C

Total Count from State Unit C Roster	2,864
Total Count from NSHE Unit C Roster	412
Total Number of Employees in Unit C	3,276

Table 2: Results of the Audit with Respect to the State Proper

<u>Category</u>	<u>Members</u>	<u>Cards</u>	<u>Total</u>
Total Count Claimed by AFSCME ¹	620	577	1,197
Less: Those Not Found on State Unit C Roster	9-	15-	24-
Less: Those Listed as Both Members and as a Card ²	1-	69-	70-
Less: Those Without a Conversion Card ³	0	6-	6-
Less: Date Older Than One Year on Conversion Card	0	95-	95-
<u>Less: Those Not Found on the State Unit C Dues List</u>	<u>14-</u>	<u>0</u>	<u>14-</u>
Total Number for Which Credit is Recommended	596	392	988

Table 3: Results of the Audit with Respect to NSHE

<u>Category</u>	<u>Members</u>	<u>Cards</u>	<u>Total</u>
Total Count Claimed by AFSCME	50	83	133
Less: Those Not Found on State Unit C Roster	7-	3-	10-
Less: Those Listed as Both Members and as a Card ⁴	0	1-	1-
Less: Those Without a Conversion Card	0	0	0
Less: Date Older Than One Year on Conversion Card	0	23-	23-
<u>Less: Those Not Found on the State Unit C Dues List</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total Number for Which Credit is Recommended	43	56	99

¹ Staff found four individuals with a conversion card but who were not on the List provided by AFSCME and added those four individuals to the List.

² When EMRB staff sorted the Excel spreadsheet by last name, first name instead of by type (i.e., member or conversion card) it became readily apparent that a number of people on the List provided by AFSCME were listed twice, both as a member and as having signed a conversion card. These duplicates were eliminated.

³ Six individuals listed on the List provided by AFSCME as having signed a conversion card actually had no conversion card in the binders provided by AFSCME.

⁴ When EMRB staff sorted the Excel spreadsheet by last name, first name instead of by type (i.e., member or conversion card) it became readily apparent that a number of people on the List provided by AFSCME were listed twice, both as a member and as having signed a conversion card. These duplicates were eliminated.

Table 4: Summary Table

<u>Category</u>	<u>Credit</u>	<u>Size</u>	<u>Percent</u>
State	988	2,864	34.5%
NSHE	99	412	24.0%
Totals	1,087	3,276	33.2%

Table 5: Summary Table Allowing Cards with Dates Older Than One Year

<u>Category</u>	<u>Credit</u>	<u>Size</u>	<u>Percent</u>
State	1,083	2,864	37.8%
NSHE	122	412	29.6%
Totals	1,205	3,276	36.8%

Summary

Based on the audit conducted, EMRB staff concludes that the minimum 30% threshold has been met as AFSCME shows support by 33.2% of the employees in the bargaining unit, excluding conversion cards older than one year. The support rises to 36.8% when disregarding the dates on the cards.

Analysis of the Request for Election and Conformance to State Law

NRS 288.525(1) lists two requirements for the Board to call for an election when there is no labor organization already designated as an exclusive representative for a bargaining unit.

First, a labor organization must file with the Board a request for an election and demonstrate through evidence that it is authorized to serve as a representative by at least 30 percent, but not more than 50 percent, of the employees in the bargaining unit. As previously mentioned, staff believes that AFSCME has shown an authorization percentage of 33.2%.

Secondly, no other such election must have occurred within the preceding 12 months for the bargaining unit in question, which is true in this case.

It is the province of the Board to make the final determination as to whether the above two conditions have been met but staff believes that the two conditions have been met.

EXHIBIT 1

Bargaining Unit (BU) C

Technical aides to professional employees, including without limitation, computer programmers, tax examiners, conservation employees and regulatory inspectors.
(sorted by title code)

Title Code	Job/Position Title	BU	Union
01.134	Agricultural Inspector III	C	TBD
01.135	Agricultural Inspector I	C	TBD
01.139	Agricultural Inspector II	C	TBD
01.407	Weights and Measures Inspector II	C	TBD
01.410	Weights and Measures Inspector I	C	TBD
01.413	Weights and Measures Assistant (seasonal)	C	TBD
01.510	Brand Inspector III	C	TBD
01.511	Livestock Inspector	C	TBD
01.512	Brand Inspector II	C	TBD
01.514	Brand Inspector I	C	TBD
01.747	Conservation Aid I	C	TBD
01.776	Fish Hatchery Technician III	C	TBD
01.778	Fish Hatchery Technician II	C	TBD
01.780	Fish Hatchery Technician I	C	TBD
01.785	Wildlife Area Technician III	C	TBD
01.786	Wildlife Area Technician II	C	TBD
01.787	Wildlife Area Technician I	C	TBD
01.790	Conservation Aid III	C	TBD
01.791	Conservation Aid II	C	TBD
01.822	Fire Control Dispatcher III	C	TBD
01.823	Seasonal Fire Control Dispatcher II	C	TBD
01.824	Seasonal Fire Control Dispatcher I	C	TBD
01.826	Fire Control Dispatcher II	C	TBD
01.827	Fire Control Dispatcher I	C	TBD
01.918	Life Guard II (Seasonal)	C	TBD
01.919	Life Guard I (Seasonal)	C	TBD
01.920	Park Aide I	C	TBD
01.928	Park Ranger Technician I (Seasonal)	C	TBD
01.955	Park Aide II	C	TBD
01.958	Park Ranger Technician III	C	TBD
01.960	Park Ranger Technician II (Seasonal)	C	TBD
04.116	Library Technician III	C	TBD
04.117	Library Technician II	C	TBD
04.122	Library Technician I	C	TBD
05.166	Teacher Assistant I	C	TBD
05.167	Teacher Assistant II	C	TBD
05.168	Community Based Instructor IV	C	TBD
05.169	Community Based Instructor III	C	TBD
05.170	Community Based Instructor II	C	TBD
05.171	Community Based Instructor I	C	TBD
06.308	Engineering Technician IV	C	TBD
06.313	Engineering Technician III	C	TBD

06.328	Engineering Technician II	C	TBD
06.334	Engineering Technician I	C	TBD
06.355	Architectural/Engineering Drafter III	C	TBD
06.358	Architectural/Engineering Drafter II	C	TBD
06.360	Architectural/Engineering Drafter I	C	TBD
06.364	Cartographic/Graphics Technician III	C	TBD
06.366	Cartographic/Graphics Technician II	C	TBD
06.368	Cartographic/Graphics Technician I	C	TBD
06.370	Engineering Drafter III	C	TBD
06.371	Engineering Drafter II	C	TBD
06.377	Engineering Drafter I	C	TBD
06.615	Seismic Data Technician III	C	TBD
06.618	Seismic Data Technician II	C	TBD
06.621	Seismic Data Technician I	C	TBD
06.965	Digital Telecommunications Specialist II	C	TBD
06.966	Development Technician IV	C	TBD
06.967	Digital Telecommunications Specialist I	C	TBD
06.973	Communications System Specialist I	C	TBD
06.977	Communications System Specialist II	C	TBD
06.978	Development Technician III	C	TBD
06.979	Development Technician II	C	TBD
06.980	Development Technician I	C	TBD
06.981	Electronics Technician II	C	TBD
06.986	Electronics Technician III	C	TBD
06.987	Electronics Technician IV	C	TBD
06.988	Electronics Technician I	C	TBD
07.127	Retirement Technician	C	TBD
07.141	Accountant Technician II	C	TBD
07.143	Accountant Technician I	C	TBD
07.255	Tax Examiner II	C	TBD
07.256	Tax Examiner I	C	TBD
07.265	Contributions Examiner II	C	TBD
07.266	Contributions Examiner I	C	TBD
07.311	Purchasing Technician III	C	TBD
07.319	Purchasing Technician II	C	TBD
07.320	Purchasing Technician I	C	TBD
07.713	Transportation Technician III	C	TBD
07.715	Transportation Technician II	C	TBD
07.716	Transportation Technician I	C	TBD
07.724	Traffic Center Technician II	C	TBD
07.725	Traffic Center Technician I	C	TBD
07.726	Traffic Center Technician Trainee	C	TBD
07.745	Statistician II	C	TBD
07.747	Statistician I	C	TBD
07.807	Assistant Costumer	C	TBD
07.815	Photographer II	C	TBD
07.827	Photographer I	C	TBD

07.829	Sales & Promotion Representative I	C	TBD
07.833	Audiovisual Technician II	C	TBD
07.836	Audiovisual Technician I	C	TBD
07.850	Sales & Promotion Representative II	C	TBD
07.853	Radio Broadcaster/Production Assistant	C	TBD
07.862	Graphic Designer II	C	TBD
07.864	Graphic Designer I	C	TBD
07.928	IT Technician VI	C	TBD
07.931	IT Technician V	C	TBD
07.935	IT Technician IV	C	TBD
07.940	IT Technician III	C	TBD
07.941	IT Technician II	C	TBD
07.943	IT Technician Trainee	C	TBD
07.957	IT Technician I	C	TBD
09.201	Equipment Operation Instructor	C	TBD
09.402	Piano Technician	C	TBD
09.436	Facility Mechanical Technician Trainee	C	TBD
09.437	Events Center Technician I	C	TBD
09.438	Facility Mechanical Technician	C	TBD
09.470	Theater Technician I	C	TBD
09.493	Exhibit Technician	C	TBD
09.501	National Guard Range Specialist	C	TBD
09.545	Meat Plant Technician Trainee	C	TBD
09.546	Meat Plant Technician I	C	TBD
09.547	Meat Plant Technician II	C	TBD
09.580	Research Technician	C	TBD
09.726	Reprographics Technician II	C	TBD
09.727	Reprographics Technician I	C	TBD
09.753	License Plate Production Technician I	C	TBD
10.726	Laboratory Technician II	C	TBD
10.729	Laboratory Assistant II	C	TBD
10.733	Laboratory Technician I	C	TBD
10.736	Laboratory Assistant I	C	TBD
10.740	Radiological Technologist	C	TBD
10.769	Staff Research Associate IV	C	TBD
10.770	Staff Research Associate III	C	TBD
10.771	Staff Research Associate II	C	TBD
10.772	Staff Research Associate I	C	TBD
11.122	Public Safety Dispatcher III	C	TBD
11.124	Public Safety Dispatcher II	C	TBD
11.126	Public Safety Dispatcher I	C	TBD
11.129	N.C.J.I.S. Program Specialist	C	TBD
11.130	N.C.J.I.S. Program Specialist Trainee	C	TBD
11.133	Fingerprint/Records Examiner III	C	TBD
11.134	Fingerprint/Records Examiner II	C	TBD
11.135	Fingerprint/Records Examiner I	C	TBD
11.243	Military Security Officer I	C	TBD

11.263	Security Officer	C	TBD
11.271	University Parking Enforce Officer II	C	TBD
11.273	University Parking Enforce Officer I	C	TBD
11.423	DMV Services Technician IV	C	TBD
11.424	DMV Services Technician III	C	TBD
11.425	DMV Services Technician II	C	TBD
11.426	DMV Services Technician I	C	TBD
11.431	Motor Vehicle Inspector II	C	TBD
11.433	Motor Vehicle Inspector I	C	TBD
11.434	Motor Vehicle Appraiser	C	TBD
11.550	Taxicab Vehicle Inspector I	C	TBD
11.553	Commercial Vehicle Safety Inspector II	C	TBD
11.554	Commercial Vehicle Safety Inspector I	C	TBD
11.555	Emission Control Technician II	C	TBD
11.557	Emission Control Technician I	C	TBD
11.560	Manufactured Housing Inspector II	C	TBD
11.561	Manufactured Housing Inspector I	C	TBD
12.374	Family Services Specialist III	C	TBD
12.376	Family Services Specialist II	C	TBD
12.379	Family Services Specialist I	C	TBD
12.442	Rehabilitation Technician III	C	TBD
12.443	Rehabilitation Technician II	C	TBD
12.444	Rehabilitation Technician I	C	TBD

EXHIBIT 2



AFSCME Local 4041, AFL-CIO
 Yes! I am AFSCME Strong. I want a strong voice at work and in my community.
AFSCME Membership and Dues Authorization

I hereby choose to become a member of AFSCME, and to abide by its constitution and bylaws. By signing below, I authorize my employer to deduct from my pay the membership dues and benefit program payments established by AFSCME Local 4041 currently and as may be modified in the future. Membership dues are currently 1% of base compensation pay before taxes per pay period; probationary employees dues are ½% (and are not tax-deductible as charitable contributions). This authorization will automatically renew from year to year, and without regard to whether I remain a member of the union, unless I give written notice to AFSCME Local 4041 and the State Controller of my decision to revoke this authorization during the two weeks preceding each anniversary date of this authorization.

 Last Name First Name MI

 Home Street Address

 City State Zip

 Date of Birth Date of Hire Circle (Y or N)
 Registered Voter

 Cell Phone* Home Email

*By providing your cell phone number you consent to receive calls (including recorded or autodialed calls, or texts) at that number from AFSCME and its affiliated labor, political and charitable organizations on any subject matter. Your carrier's rates may apply. You may modify your preferences at: <https://www.afscme.org/lcpa>.



 Signature Date

 Name of Employer EIN

 Department Job Classification

 Worksite

Office Use Only	
Date Received _____ Circle (Y or N)	Start Date _____
Probationary _____	Chapter _____
Probation End Date _____	Received By _____



AFSCME Local 4041, AFL-CIO

AFSCME Conversion Card

I hereby apply for membership in AFSCME, Local 4041, and its successor or assign (hereafter the "Union"), and I agree to abide by its Constitution and Bylaws. I authorize the Union to act as my exclusive bargaining representative for purposes of collective bargaining with respect to wages, hours and other terms and conditions of employment with my Employer. This card may be used to establish or obtain recognition of the Union with my Employer, with or without an election. Upon the Union being designated as the exclusive representative for my designated bargaining unit, I hereby voluntarily authorize and direct my Employer to deduct from my pay each pay period, regardless of whether I am or remain a member of the Union, the amount of dues certified by the Union, and as they may be adjusted periodically by the Union, and to authorize my Employer to remit such amount monthly to the Union. This voluntary authorization and assignment shall be irrevocable, regardless of whether I am or remain a member of the Union, and for a period of one year from the date of execution, and for year to year thereafter unless I give the Union written notice of revocation not less than ten (10) days and not more than twenty (20) days before the anniversary date of this authorization. This card supersedes any prior check-off authorization card I signed. I recognize that my authorization of dues deductions, and the continuation of such authorization from one year to the next, is voluntary and not a condition of my employment. Payment to the Union are not deductible as charitable donations for federal income tax purposes. However, state law may extend favored tax treatment.

Signature Date

Last Name First Name MI Date of Birth

Street Address

City State Zip

Billing Address (if Different From Street Address)

Cell Phone* Personal Email

Name of Employer EIN Date of Hire

Department Worksite Job Classification

*By providing my cell phone number and email address, I understand that the Union and its affiliates may use automated email, calling technologies, and/or text message me on my cell phone on a periodic basis. The Union will not charge for text message alerts; carrier message and data rates may apply to such texts.

Return to 601 S. Rancho Drive, Suite C-24,
Las Vegas, NV 89106



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AFSCME Local 4041, AFL-CIO

Yes! I am AFSCME Strong. I want a strong voice at work and in my community.

AFSCME Membership and Dues Authorization

Last Name *

First Name *

Middle Initial

Home Street Address *

Address 2

City *

State *

ZIP code *

-Select-

Date of Birth *

Month ▾ Day ▾ Year ▾

Date of Hire *

Month ▾ Day ▾ Year ▾

Registered Voter (Y/N) *

- Yes
 No

Cell Phone †

† By providing your cell phone number you consent to receive calls (including recorded or autodialed calls, or texts) at that number from AFSCME and its affiliated labor, political and charitable organizations on any subject matter. Your carrier's rates may apply. You may modify your preferences at: <https://www.afscma.org/tpa>.

Personal Email Address *

Name of Employer *

EM *

Please enter your 8-digit Employee Number.

Department *

Job Classification *

Worksite *

Authorization

I hereby choose to become a member of AFSCME, and to abide by its constitution and bylaws. By signing below, I authorize my employer to deduct from my pay the membership dues and benefit program payments established by AFSCME Local 4041 currently and as may be modified in the future. Membership dues are currently 1% of base compensation pay before taxes per pay period; probationary employees dues are 3% (and are not tax-deductible as charitable contributions). This authorization will automatically renew from year to year, and without regard to whether I remain a member of the union, unless I give written notice to AFSCME Local 4041 and the State Controller of my decision to revoke this authorization during the two weeks preceding each anniversary date of this authorization.

Signature

Please sign using your mouse or your finger on a touchscreen.

Clear Signature
Date *

Jun ▼ 5 ▼ 2024 ▼ 

JOIN NOW

We make Nevada Happen

BECOME A MEMBER ([HTTPS://WWW.NVAFSCME.ORG/AFSCME-LOCAL-4041-DIGITAL-MEMBERSHIP-CARD](https://www.nvafscme.org/afscme-local-4041-digital-membership-card))

Local 4041 Carson City Office
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Carson City, Nevada 89701

([https://www.google.com/maps/place/504+E+Musser+St+%23300,+Carson+City,+NV+89701/@39.1647435,-119.7632886,17z](https://www.google.com/maps/place/504+E+Musser+St+%23300,+Carson+City,+NV+89701/@39.1647435,-119.7632886,17z/data=!3m1!1e3!1m5!1s504+E+Musser+St,+Carson+City,+NV+89701/@39.1647435,-119.7632886,17z/data=!3m1!1e3!1m5!1s504+E+Musser+St,+Carson+City,+NV+89701/@39.1647435,-119.7632886,17z))

119.7632886)

Phone: (775) 882-3910 (tel:7758823910)

Office Hours:

Monday thru Friday 8:30am to 5:00pm

Closed on Saturday and Sunday

We observe all State and Federal Holidays

Local 4041 Las Vegas Office
601 S. Rancho Drive, Unit C-24
Las Vegas, Nevada 89106

115.1721551)

Phone: (702) 431-3113 (tel:7024313113)

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BENEFITS ([HTTPS://WWW.NVAFSCME.ORG/BENEFITS](https://www.nvafscme.org/benefits)) ▾ **RESOURCES** ([HTTPS://WWW.NVAFSCME.ORG/RESOURCES](https://www.nvafscme.org/resources)) ▾

BARGAINING ([HTTPS://WWW.NVAFSCME.ORG/BARGAINING](https://www.nvafscme.org/bargaining))

MEMBERSHIP CARD ([HTTPS://WWW.NVAFSCME.ORG/AFSCME-LOCAL-4041-DIGITAL-MEMBERSHIP-CARD](https://www.nvafscme.org/afscme-local-4041-digital-membership-card))

CONVERSION CARD ([HTTPS://WWW.NVAFSCME.ORG/CONVERSION-CARD](https://www.nvafscme.org/conversion-card)) **CBA** ([HTTPS://WWW.NVAFSCME.ORG/CBA](https://www.nvafscme.org/cba))



([HTTPS://TWITTER.COM/LOCAL4041](https://twitter.com/LOCAL4041))

([HTTPS://FACEBOOK.COM/NVAFSCME4041](https://facebook.com/nvafscme4041))

AFSCME Local 4041 Conversion Card

Yes! I am AFSCME Strong. I want a strong voice at work and in my community.

First Name *

Middle (initial)

Last Name *

Address *

Address 2

City *

State *

- Select -

ZIP code *

Personal Email Address *

Cell Phone †

† By providing my cell phone number and email address, I understand that the Union and its affiliates may use automated email, calling technologies, and/or text message me on my cell phone on a periodic basis. The Union will not charge for text message alerts; carrier message and data rates may apply to such texts.

Employer *

EIN

Date of Hire

Month ▼ Day ▼ Year ▼ 

Department

Worksite *

Job Classification

Authorization

I hereby apply for membership in AFSCME, Local 4041, and its successor or assign (hereafter the "Union"), and I agree to abide by its Constitution and Bylaws. I authorize the Union to act as my exclusive bargaining representative for purposes of collective bargaining with respect to wages, hours and other terms and conditions of employment with my Employer. This card may be used to establish or obtain recognition of the Union with my Employer, with or without an election.

Upon being covered by an agreement with my Employer, I hereby voluntarily authorize and direct my Employer to deduct from my pay each pay period, regardless of whether I am or remain a member of the Union, the amount of dues certified by the Union, and as they may be adjusted periodically by the Union, and to authorize my Employer to remit such amount monthly to the Union. This voluntary authorization and assignment shall be irrevocable, regardless of whether I am or remain a member of the Union, for a period of one year from the date of execution, and for year to year thereafter unless I give the Union written notice of revocation not less than ten (10) days and not more than twenty (20) days before the anniversary date of this authorization. This card supersedes any prior check-off authorization card I signed.

I recognize that my authorization of dues deductions, and the continuation of such authorization from one year to the next, is voluntary and not a condition of my employment. Payment to the Union are not deductible as charitable donations for federal income tax purposes. However, state law may extend favored tax treatment.

Signature

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STATE OF NEVADA
GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

IN RE: BARGAINING UNIT "C" TECHNICAL
EMPLOYEES

Case No. 2024-020

APPLICATION FOR ELECTION BY AFSCME,
LOCAL 4041 PURSUANT TO NRS 288.525

ORDER FOR ELECTION

On July 10, 2024, this matter came before the State of Nevada, Government Employee-
Management Relations Board (the "Board") for consideration and decision on the American Federation
of State, County and Municipal Employees, Local 4041 Application for Election pursuant to the
provisions of the Government-Management Relations Act, NRS Chapter 288 and NAC Chapter 288.

Having reviewed the Request for Election and the Audit Report, the Board finds that FOP
Lodge 21 has satisfied the requirements set forth in NRS 288.525(2).

IT IS THEREFORE ORDERED that the Request for Election is hereby GRANTED, and an
Election is hereby ORDERED pursuant to NRS 288.525(2).

IT IS FURTHER ORDERED that the Election Plan and associated documents shall be
appended to and be considered as part of this Election Order.

Dated this 10th day of July, 2024.

GOVERNMENT EMPLOYEE-
MANAGEMENT RELATIONS BOARD

BY: _____
BRENT C. ECKERSLEY, Chair

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STATE OF NEVADA
GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

IN RE: BARGAINING UNIT "C" TECHNICAL
EMPLOYEES

Case No. 2024-020

APPLICATION FOR ELECTION BY AFSCME,
LOCAL 4041 PURSUANT TO NRS 288.525

NOTICE OF ENTRY OF ORDER

TO: Petitioner AFSCME, Local 4041 and its attorneys of record, Nathan Ring, Esq. and Paul D. Cotsonis, Esq., and Reese Ring Velto, PLLC;

TO: State of Nevada, Department of Administration, Human Resources Management.

PLEASE TAKE NOTICE that the **ORDER FOR ELECTION** was entered in the above-entitled matter on October 14, 2022.

A copy of said order is attached hereto.

DATED this 10th day of July 2024.

GOVERNMENT EMPLOYEE-
MANAGEMENT RELATIONS BOARD

BY _____
MARISU ROMUALDEZ ABELLAR
Executive Assistant

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CERTIFICATE OF MAILING

I hereby certify that I am an employee of the Government Employee-Management Relations Board, and that on the 10th day of July 2024, I served a copy of the foregoing **NOTICE OF ENTRY OF ORDER** by mailing a copy thereof, postage prepaid to:

Nathan Ring, Esq.
Paul D. Cotsonis, Esq.
Reese Ring Velto, PLLC
3100 W. Charleston Blvd., Ste. 208
Las Vegas, NV 89102

Bachera Washington
Administrator DHRM
State of Nevada
7251 Amigo Street, Suite 120
Las Vegas, NV 89119

Matthew Lee, DHRM
State of Nevada
100 North Stewart St., Suite 200
Carson City, NV 89701

Sherry M. Olson
Director of Human Resources
Nevada System of Higher Education
System Administration, Human Resources
2601 Enterprise Road
Reno, NV 89512

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MARISU ROMUALDEZ ABELLAR
Executive Assistant

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STATE OF NEVADA
GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

IN RE: BARGAINING UNIT "C"
TECHNICAL EMPLOYEES

APPLICATION FOR ELECTION BY
AFSCME, LOCAL 4041 PURSUANT TO
NRS 288.525

Case No. 2024-020

ELECTION PLAN

PART ONE: GENERAL INFORMATION

Section 1.01: Parties

The parties to this Plan are the Government Employee-Management Relations Board (EMRB); the American Federation of State, County and Municipal Employees, Local 4041 (AFSCME) and the State of Nevada (STATE).

Section 1.02: Purpose of the Election

The purpose of this election is to determine whether a majority of the bargaining unit consisting of Technical Employees (i.e., State Bargaining Unit C) want to be represented by AFSCME or, alternately, not represented at all.

Section 1.03: Governing Rules

All parties shall adhere to the rules of conduct established by the EMRB regarding the election process. However, in the event of a conflict, the provisions of NRS Chapter 288 and NAC Chapter 288 shall prevail.

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1 **Section 1.04: Election Standard**

2 Pursuant to NRS 288.530 the standard shall be a majority of the votes cast.
3

4 **Section 1.05: Election to be Held by Mail**

5 The election will be held by mail for the following reasons: (1) there are multiple
6 locations in which the employees in the bargaining unit work; (2) there are multiple shifts at each
7 of these locations; and (3) the EMRB only has a staff of three employees. Accordingly, this
8 election plan contemplates voting by mail.
9

10 **Section 1.06: Election Supervision**

11 The election will be by secret ballot under the supervision of the EMRB Commissioner of
12 the EMRB, who shall be assisted by the Board Secretary, who shall be granted all the powers
13 and duties of the EMRB Commissioner whenever he may be absent, and the Administrative
14 Assistant II.
15

16 **Section 1.07: Reservation of Rights**

17 Upon the EMRB's certification of the election results as provided for in this Plan, any
18 party to this Plan, as listed in Section 1.01, may pursue any right or remedy lawfully available to
19 it before the EMRB and/or any court of competent jurisdiction. In particular, the parties retain all
20 rights to seek judicial review of this election pursuant to NRS 288.
21

22 **Section 1.08: Amendment of Election Plan**

23 This Plan may be amended only upon written agreement of the parties and approval of
24 the EMRB. However, subject to the written approval by AFSCME and the STATE, the
25 Commissioner may correct clerical/typographical errors in this Election Plan, including any of
26 the exhibits attached.

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PART TWO: ELIGIBLE VOTERS AND DOCUMENTS RELATED THERETO

Section 2.01: Eligible Voters

The employees eligible to vote shall be those Technical Employees (UNIT C EMPLOYEES) employed by the State of Nevada or NSHE who are employed as of July 5, 2024. This includes employees in the job titles listed in Exhibit 4, which is a list of Bargaining Unit C job classifications as published by the Division of Human Resource Management on its website.

Eligible employees shall be allowed to vote or not vote without interference, restraint, or coercion.

Section 2.02: Excelsior List

The names of employees eligible to vote shall appear on an *Excelsior* List, to be provided separately by the STATE and NSHE to the EMRB and which shall be provided via an e-mail no later than Monday, July 15, 2024 at 2:00 p.m. The *Excelsior* List shall be in Excel and shall contain, in addition to the employee's last name, first name and job title, the STATE's or NSHE's last known address of each employee on the *Excelsior* List, along with any home or cellular telephone numbers for each employee that are on file with the STATE or NSHE. When received, the EMRB shall add a column entitled "Key #," which shall be a unique number assigned to each person on the list and shall e-mail the *Excelsior* list with key numbers on July 16, 2024 to the STATE and AFSCME.

The parties shall not use or make available to any third party any of the contents of the *Excelsior* List other than for the purpose of this election. In the event a public records request is made for the *Excelsior* List the EMRB shall redact the employee addresses and home and cellular telephone numbers and shall consider the redacted information confidential.

Section 2.03: Supplemental List

The names, addresses and telephone numbers of persons who do not appear on the *Excelsior* List, but who receive ballots pursuant to Section 3.02, will be placed on a

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1 Supplemental List. No names may be placed on or added to the Supplemental List unless the
2 person has been provided with a ballot kit by 4:00 p.m. on Thursday, August 22, 2024. The
3 EMRB will provide the Supplemental List to the STATE and AFSCME by 4:30 p.m. that same
4 day.

6 **Section 2.04: Election Notice**

7 The Commissioner shall mail a single Election Notice, whose wording shall be as shown
8 in Exhibit "1," on or before Thursday, August 1, 2024 to each eligible voter. The Election Notice
9 so mailed may be combined with the other election materials mailed to eligible voters pursuant
10 to Section 3.01.

11 Additionally, the Commissioner shall e-mail a copy of the Election Notice on or before
12 Thursday, July 25, 2024 to the STATE and NSHE, who shall send a blast e-mail on or before
13 Wednesday, July 31, 2024 to the UNIT C EMPLOYEES advising them of the upcoming
14 election. Both the STATE and NSHE shall certify by close of business on July 31, 2024 that the
15 blast e-mails were sent. In lieu of certifying that the e-mails were sent, the STATE and/or NSHE
16 may blind cc: the following email address: emrb@business.nv.gov.

18 **Section 2.05: Campaigning By and To Eligible Voters**

19 The following are the rules related to campaigning:

20 (a) There shall be no campaigning by representatives and employees from any party on
21 STATE or NSHE property. Discussion or solicitation between employees during work hours
22 shall not be deemed to be campaigning if the employer permits employees to talk about non-
23 work items during working time.

24 (b) There shall be no distribution of campaign material or literature on property,
25 including breakrooms, employee lounges, etc., by the employees or representatives of either
26 AFSCME or the STATE or NSHE; provided, however, there shall be no bar to the distribution of
27 campaign materials or literature from or on other STATE or NSHE public property (e.g., public
28 sidewalks or entrances to parking lots, etc.).

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1 (c) Notwithstanding the provisions of subsections (a) or (b) above, the UNIT C
2 EMPLOYEES shall (i) be allowed to solicit one another with regard to this election before work,
3 after work and on their regularly scheduled break times, provided that the employee doing the
4 solicitation and the employee being solicited are on their regularly scheduled break or are off
5 duty and transiting to or from their work stations; (ii) be allowed to exchange literature on
6 STATE or NSHE property during such non-working times in non-working areas; (iii) be allowed
7 to wear buttons, t-shirts, jackets or other insignia of AFSCME, provided that such buttons, t-
8 shirts, jackets, etc., do not convey the message “vote for...” or “vote against...” AFSCME or the
9 No Union option; and (iv) provided that the STATE or NSHE cannot prohibit employees from
10 talking about the union during working time if it permits employees from talking about other
11 non-work items during working time. Also, notwithstanding the provisions of (a) and (b) above,
12 nothing in this Order shall limit the right of the STATE or NSHE to communicate to its
13 employees its views, arguments or opinions, provided that there is no threat of reprisal or force
14 or promise of benefit.

15 16 **PART THREE: VOTING BY MAIL**

17 18 **Section 3.01: Mailing of Ballots**

19 The EMRB will mail a ballot and associated documents (i.e., ballot kit) to each eligible
20 employee (i.e., those appearing on the *Excelsior* List) on Thursday, August 1, 2024. Each ballot
21 kit shall be delivered through the United States mail, first class postage pre-paid, in an envelope
22 addressed with an address label derived from the *Excelsior* List. The ballot materials mailed by
23 the EMRB will include (1) the ballot, (2) an envelope marked “Ballot” in which the executed
24 ballot shall be placed and sealed by the voter, (3) an addressed return envelope, marked with the
25 “key” number of the addressee, with first class postage pre-paid, and (4) an instruction sheet (in
26 the form as set forth on the reverse side of Exhibit "1") on how to complete and properly return
27 the ballot. The instruction sheet may be on the reverse side of the Election Notice mentioned in
28 Section 2.04 above.

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Section 3.02: Requests for Ballots and Replacement Ballots

If the EMRB is contacted by a prospective voter who reports that he or she has not received a ballot kit or has lost or spoiled the ballot or envelope, the following will occur:

(1) If the records of the EMRB show that the prospective voter has never been sent a ballot kit, a ballot kit will be mailed, the name inserted on the Supplemental List, and one of a new series of “key” numbers will be assigned.

(2) If the voter has moved, a duplicate ballot kit bearing the old key number plus “DUPL” will be mailed to the voter and the fact that a duplicate ballot kit was sent will be noted on the Supplemental List maintained by the EMRB.

(3) If the voter has lost or spoiled the ballot or ballot envelope, the voter will be mailed a duplicate kit bearing the old “key” number plus “DUPL” and the fact that a duplicate ballot kit was mailed will be noted on the Supplemental List maintained by the EMRB.

(4) A voter who falls into the categories specified in (1) - (3) above, may alternately personally pick the ballot materials up at the offices of the EMRB at 3300 West Sahara Avenue, Suite 490, Las Vegas, Nevada between 8:00 a.m. and 4:30 p.m., Monday through Friday and excluding any legal holidays, through Thursday, August 22, 2024.

A voter seeking a ballot pursuant to this section may be required to produce a driver’s license or other government-issued picture identification and provide his or her mailing address.

Section 3.03: Mailing of Ballots

The EMRB may accept ballots at its office but the ballot must be in the return envelope with the postage prepaid. All ballots sent via mail must be mailed to the EMRB at the address listed on the return envelope for the purpose of this election.

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PART FOUR: COUNTING OF THE BALLOTS

Section 4.01: Transportation and Retrieval of Ballots Upon Conclusion of In-Person

Voting

Ballots received by the EMRB via the U.S. Postal Service during the mail voting process shall be stored in a ballot box or trays stored in the EMRB's locked meeting room. On August 27, 2024 at 9:00 a.m. the Commissioner shall relocate the ballot box or trays to the Nevada Room on the fourth floor of the Nevada State Business Center (COUNTING ROOM). The parties' representatives and their observers may be always present during the procedure described in this Section.

Section 4.02: Arrangement of the Counting Room and Persons Therein

The Commissioner shall arrange the COUNTING ROOM to have up to six tables for the counting of the ballots. Both AFSCME and the STATE shall be entitled to have two representatives at each of the six tables. In addition, AFSCME and the STATE shall each be entitled to have three observers in the room. Each representative and observer shall be given an ID tag to be always worn while in the COUNTING ROOM. The parties' representatives and their observers may be always present during the procedure described in this Section.

Section 4.03: Initial Arrangement of Ballots

Upon arrival at the COUNTING ROOM, the EMRB Commissioner, in the presence of the parties' representatives and their observers, shall first shake the ballot box, if the ballots are not already in trays, and then shall open the ballot box and remove its contents.

The return envelopes shall then be arranged in key number order. Alternately, the Commissioner, with the consent of the parties, may prearrange the return envelopes in key number order as the return envelopes are received in order to expedite the counting of the ballots on August 27, 2024.

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1 If two or more return envelopes contain the same key number, then any return envelope
2 with "DUPL" after the key number shall be placed behind the return envelope without any such
3 designations.

4 5 **Section 4.04: Challenge of Voters and Duplicate Ballots**

6 The EMRB Commissioner shall then give approximately 1/6 of the return envelopes to
7 each of the six tables. A representative at each table shall then read the key number on the first
8 return envelope. At that time any party representative may challenge for good cause the
9 eligibility of that employee to vote in the election. For any challenged voter, the EMRB
10 Commissioner shall write on the ballot envelope (1) the words "Voter Challenged;" (2) the name
11 of the challenged voter, (3) the name of the party challenging the voter, and (4) the reason for the
12 challenge. The Commissioner shall then impound that return envelope by placing it in a
13 Challenged Ballot Envelope. If the number of challenged ballots is outcome-determinative, the
14 Commissioner will then ascertain the validity of such voters and thus determine whether that
15 ballot will or will not be counted.

16 If a particular voter has voted two or more times, as evidenced by the key number, only
17 the Ballot in the return envelope having the later postmark will be counted. In the event
18 postmarks are not discernable, only the envelope bearing the later date stamp will be counted. In
19 the event two or more ballots are received in one envelope, none of the ballots in the envelope
20 will be counted. Any duplicate ballots will be impounded and placed in the Challenged Ballot
21 Envelope previously referenced.

22 23 **Section 4.05: Opening of Return Envelopes**

24 If a particular voter has not been challenged, and after any duplicate ballots have been
25 impounded, the return envelope for that key number will be opened. The return envelope will be
26 placed in one box while the ballot envelope will be placed in a separate box. Both boxes shall be
27 supplied by the EMRB.

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Section 4.06: Opening of Ballot Envelopes

The representative at each table shall then open, one by one, the ballot envelopes for each ballot not challenged pursuant to Sections 4.04 and shall state for which option he/she believes the voter cast a ballot. As each ballot is called and displayed, any party representative may challenge the validity of the ballot. A ballot is invalid and subject to challenge if it:

- (a) Is signed by the voter;
- (b) Bears the voter's name or any other means of identifying the voter;
- (c) Is blank or otherwise fails to reflect a vote for any of the choices on the ballot; or
- (d) Denotes a vote for more than one of the choices on the ballot.

If no challenge to a ballot is asserted at that time, it is deemed waived. If the validity of a ballot is challenged on any ground as set forth above, it will be tallied as a challenged ballot. The Commissioner shall then write "Challenged" on the bottom of the ballot, along with the name of the party challenging the ballot and the reason for the challenge. The Commissioner shall then write his decision on the ballot.

Section 4.07: Commissioner's Final Tally of Ballots

After all the ballot envelopes have been opened and sorted in the manner described above, the Commissioner, in the presence of the parties' representatives, will then prepare a tally sheet, in the form set forth as Exhibit "3".

Any remaining challenged ballots will be those challenged on the ground of voter ineligibility. The Commissioner will not attempt to determine the validity or invalidity of any such ballot. A copy of the tally sheet will be given to each party. A representative for each party will sign the original of the final tally to acknowledge the party's receipt of a copy.

Section 4.08: Miscellaneous Matters Related to the Counting Room

Any person who disrupts the counting process or otherwise behaves in a discourteous or unprofessional manner may be removed from the COUNTING ROOM at the discretion of the Commissioner.

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1 The Commissioner may designate areas of the COUNTING ROOM where food and
2 drink may be allowed. However, at no time shall food or drink be allowed within five feet of any
3 ballots or other official documents related to the election. The same restrictions shall also apply
4 for pens and other markers in the possession of any observers or party representatives. Also, no
5 electronic communication devices (unless necessary for medical reasons as authorized by the
6 Commissioner) shall be permitted in the COUNTING ROOM unless such are in the silent mode.
7 Additionally, no one may take pictures or videos, or make recordings in the COUNTING
8 ROOM. Moreover, no one shall engage in telephone communications while inside the
9 COUNTING ROOM without the permission of the Commissioner. Nothing herein shall preclude
10 any attorney representing either party from having in his/her possession any writing instruments
11 and paper to take notes while in the COUNTING ROOM.

12 In the event of a bomb threat, fire alarm or other emergency occurring during the
13 counting process that requires that the COUNTING ROOM be vacated, those in the room shall
14 exit in an orderly fashion and shall leave the ballots and other materials in the COUNTING
15 ROOM. The Commissioner shall have authority to order that any additional security precautions
16 be taken.

17 Upon the conclusion of the counting process, the Commissioner will arrange for the
18 secure storage of the ballots and related documents, until such time as the EMRB or a court of
19 competent jurisdiction orders the destruction of these materials.

20 The Board Secretary may also be present at the COUNTING ROOM and the
21 Commissioner shall have the authority for the Board Secretary to assume all duties and
22 responsibilities of the Commissioner whenever during the day the Commissioner may need to
23 temporarily be absent.

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PART FIVE: EVENTS SUBSEQUENT TO ELECTION DAY

Section 5.01: Objections to the Conduct of the Election

The parties may file objections to the procedural conduct of the election, to conduct in violation of this Plan or such other conduct (including any claimed violation of either NRS Chapter 288 or NAC Chapter 288) which may have improperly affected the results of the election. Any such objection must be filed with the EMRB within 10 calendar days after the election. Objections must be in writing and contain a brief statement of facts upon which the objections are based. The party filing the objections shall serve a copy upon each of the other parties. The investigation and determination of any challenges and/or objections will be in accordance with the EMRB's rules and regulations.

Section 5.02: Certification of the Election by the Board

The Commissioner shall schedule the matter for Board consideration at the next meeting of the full Board after the expiration of the period in which to object to the conduct of the election. The full Board shall issue a certification of the election results once it concludes its investigation into and issues a final ruling upon all challenges to eligibility and objections as provided for in this Plan.

PART SIX: OTHER TERMS AND CONDITIONS

Section 6.01: Election Order and Election Plan Suspended Upon Filing of a Petition By Another Labor Organization

NRS 288.530(1)(c) requires a waiting period after an election has been ordered. NAC 288.115(4) states that the waiting period is 14 days. During this waiting period, should another labor organization(s) file a petition to also be on the ballot, then the election order shall be suspended until such time as staff can conduct an audit of the petition and present the same to the Board. The

1 Board then may amend its election order and election plan should it decide to add the labor
2 organization(s) to the ballot.

3

4 **Section 6.02: Calendars in Exhibit 5**

5 The calendars provided as Exhibit 5 are for reference only. Only conflict between a date on the
6 calendar and the date in this Election Plan shall be resolved in favor of the date in the Election Plan.

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EXHIBIT 1

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STATE OF NEVADA

GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS BOARD

OFFICIAL ELECTION NOTICE

The purpose of this election is to determine which labor organization, if any, is to represent the Technical Employees (i.e., State Bargaining Unit C Employees) who work for the State of Nevada or NSHE. There will be two options on the ballot:

- ❖ American Federation of State, County and Municipal Employees, Local 4041 (“AFSCME”)
- ❖ No Union

ELIGIBLE VOTERS

Included: All Technical Employees who are employed by the State of Nevada or NSHE as of July 5, 2024.

ELECTION TO BE CONDUCTED BY MAIL

You will be mailed a ballot kit on Thursday, August 1, 2024. The ballot kit will be mailed to your home address on file with the State of Nevada or NSHE.

Please follow the instructions included in the ballot kit on how to vote by mail. Your ballot must be received by the EMRB before August 26, 2024 at 4:30 p.m. If you do not receive a ballot kit in the mail, please call the EMRB at 702-486-4505.

COUNTING OF BALLOTS

Ballots will be counted on August 27, 2024 at 9:00 a.m. in the Nevada Room, located on the fourth floor of the Nevada State Business Center, 3300 W. Sahara Avenue, Las Vegas, Nevada 89102.

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STATE OF NEVADA
GOVERNMENT EMPLOYEE MANAGEMENT RELATIONS BOARD

INSTRUCTIONS ON HOW TO VOTE BY MAIL

Please follow the instructions below to vote by mail.

Your ballot kit contains the following:

1. The envelope that was mailed to you.
2. A return envelope to mail your completed ballot back to the EMRB.
3. A third envelope marked "Ballot."
4. A two-sided document called "Official Election Notice" on one side and "Instructions on How to Vote By Mail" on the reverse side.
5. The actual ballot.

Steps to complete your voting:

1. Mark the ballot with a single mark, such as an X, inside one of the two boxes on the ballot.
2. Do not sign the ballot or leave any other marks which might identify yourself.
3. Seal the marked ballot in the envelope labeled BALLOT.
4. Place the BALLOT envelope inside the return-addressed envelope and seal the envelope.
5. Place the return-addressed envelope in the U.S. mail system. Postage has already been prepaid for you, so there is no need to use a stamp.
6. You may either keep or throw away the envelope sent to you and these instructions.

Your ballot must be received by the EMRB by August 26, 2024 at 4:30 p.m. Any ballot received after this time will not be included in the final count.

DON'Ts

DO NOT sign your ballot.

DO NOT mark your ballot so as to identify yourself.

You may hand deliver your ballot in lieu of mailing it but the ballot must be in the return envelope provided to you. DO NOT hand deliver any ballot other than your own.

DO NOT mail or hand deliver your ballot in a different envelope. It must be mailed or hand delivered in the return envelope we sent you.

DO NOT collect ballots from your co-workers and include them in one return envelope. Each ballot must be in its specially-marked return envelope.

DO NOT vote more than once by copying materials. We have safeguards in place to catch individuals who attempt to vote more than once.

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EXHIBIT 2

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GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS BOARD



OFFICIAL SECRET BALLOT

FOR STATE OF NEVADA and NSHE TECHNICAL EMPLOYEES
(Bargaining Unit C)

MARK ONLY
ONE WITH A ✓
OR AN ✕

- AFSCME
- NO UNION

**DO NOT SIGN YOUR NAME TO THIS BALLOT OR
MARK IT IN SUCH A WAY SO AS TO IDENTIFY YOURSELF.**

PLEASE SEE IMPORTANT INFORMATION ON REVERSE.

FRONT OF BALLOT

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After marking the ballot in the square of your choice, insert the ballot into the Ballot envelope and seal the Ballot envelope.

Then place the Ballot envelope in the return envelope for which postage has been pre-paid and mail that return envelope via the U.S. mail.

If you need to request another ballot, please contact the EMRB at (702) 486-4505.

Your ballot must be received by the EMRB no later than August 26, 2024, at 4:30 p.m.

BACK SIDE OF BALLOT

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EXHIBIT 3

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GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS BOARD

IN RE: BARGAINING UNIT "C" TECHNICAL)
 EMPLOYEES)
) CASE NO. 2024-020
 APPLICATION FOR ELECTION BY AFSCME,)
 LOCAL 4041 PURSUANT TO NRS 288.525)
 _____)
)
)

TALLY OF BALLOTS

I hereby certify that the results of the tabulation of ballots cast in the election held in the above-captioned matter, and concluded on the date set forth below, were as follows:

- 1. Number of Ballots Cast for "AFSCME" _____
 Not Challenged _____ Challenged _____
- 2. Number of Ballots Cast for "No Union" _____
 Not Challenged _____ Challenged _____
- 3. Number of Valid Ballots Cast (sum of 1 through 2) _____
- 4. Number of Invalid Ballots Cast _____
 Not Challenged _____ Challenged _____
- 5. Number of Voters Challenged as Ineligible _____
- 6. Number of Eligible Voters in the Bargaining Unit _____

Dated: August 27, 2024. By the Commissioner: _____
 Bruce K. Snyder

We acknowledge receipt of a copy of this tally:

 AFSCME, Local 4041

 State of Nevada

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EXHIBIT 4

Bargaining Unit (BU) C

**Technical aides to professional employees, including without limitation, computer programmers, tax examiners, conservation employees and regulatory inspectors.
(sorted by title code)**

Title Code	Job/Position Title	BU	Union
01.134	Agricultural Inspector III	C	TBD
01.135	Agricultural Inspector I	C	TBD
01.139	Agricultural Inspector II	C	TBD
01.407	Weights and Measures Inspector II	C	TBD
01.410	Weights and Measures Inspector I	C	TBD
01.413	Weights and Measures Assistant (seasonal)	C	TBD
01.510	Brand Inspector III	C	TBD
01.511	Livestock Inspector	C	TBD
01.512	Brand Inspector II	C	TBD
01.514	Brand Inspector I	C	TBD
01.747	Conservation Aid I	C	TBD
01.776	Fish Hatchery Technician III	C	TBD
01.778	Fish Hatchery Technician II	C	TBD
01.780	Fish Hatchery Technician I	C	TBD
01.785	Wildlife Area Technician III	C	TBD
01.786	Wildlife Area Technician II	C	TBD
01.787	Wildlife Area Technician I	C	TBD
01.790	Conservation Aid III	C	TBD
01.791	Conservation Aid II	C	TBD
01.822	Fire Control Dispatcher III	C	TBD
01.823	Seasonal Fire Control Dispatcher II	C	TBD
01.824	Seasonal Fire Control Dispatcher I	C	TBD
01.826	Fire Control Dispatcher II	C	TBD
01.827	Fire Control Dispatcher I	C	TBD
01.918	Life Guard II (Seasonal)	C	TBD
01.919	Life Guard I (Seasonal)	C	TBD
01.920	Park Aide I	C	TBD
01.928	Park Ranger Technician I (Seasonal)	C	TBD
01.955	Park Aide II	C	TBD
01.958	Park Ranger Technician III	C	TBD
01.960	Park Ranger Technician II (Seasonal)	C	TBD
04.116	Library Technician III	C	TBD
04.117	Library Technician II	C	TBD
04.122	Library Technician I	C	TBD
05.166	Teacher Assistant I	C	TBD
05.167	Teacher Assistant II	C	TBD
05.168	Community Based Instructor IV	C	TBD
05.169	Community Based Instructor III	C	TBD
05.170	Community Based Instructor II	C	TBD
05.171	Community Based Instructor I	C	TBD
06.308	Engineering Technician IV	C	TBD
06.313	Engineering Technician III	C	TBD

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06.328	Engineering Technician II	C	TBD
06.334	Engineering Technician I	C	TBD
06.355	Architectural/Engineering Drafter III	C	TBD
06.358	Architectural/Engineering Drafter II	C	TBD
06.360	Architectural/Engineering Drafter I	C	TBD
06.364	Cartographic/Graphics Technician III	C	TBD
06.366	Cartographic/Graphics Technician II	C	TBD
06.368	Cartographic/Graphics Technician I	C	TBD
06.370	Engineering Drafter III	C	TBD
06.371	Engineering Drafter II	C	TBD
06.377	Engineering Drafter I	C	TBD
06.615	Seismic Data Technician III	C	TBD
06.618	Seismic Data Technician II	C	TBD
06.621	Seismic Data Technician I	C	TBD
06.965	Digital Telecommunications Specialist II	C	TBD
06.966	Development Technician IV	C	TBD
06.967	Digital Telecommunications Specialist I	C	TBD
06.973	Communications System Specialist I	C	TBD
06.977	Communications System Specialist II	C	TBD
06.978	Development Technician III	C	TBD
06.979	Development Technician II	C	TBD
06.980	Development Technician I	C	TBD
06.981	Electronics Technician II	C	TBD
06.986	Electronics Technician III	C	TBD
06.987	Electronics Technician IV	C	TBD
06.988	Electronics Technician I	C	TBD
07.127	Retirement Technician	C	TBD
07.141	Accountant Technician II	C	TBD
07.143	Accountant Technician I	C	TBD
07.255	Tax Examiner II	C	TBD
07.256	Tax Examiner I	C	TBD
07.265	Contributions Examiner II	C	TBD
07.266	Contributions Examiner I	C	TBD
07.311	Purchasing Technician III	C	TBD
07.319	Purchasing Technician II	C	TBD
07.320	Purchasing Technician I	C	TBD
07.713	Transportation Technician III	C	TBD
07.715	Transportation Technician II	C	TBD
07.716	Transportation Technician I	C	TBD
07.724	Traffic Center Technician II	C	TBD
07.725	Traffic Center Technician I	C	TBD
07.726	Traffic Center Technician Trainee	C	TBD
07.745	Statistician II	C	TBD
07.747	Statistician I	C	TBD
07.807	Assistant Costumer	C	TBD
07.815	Photographer II	C	TBD
07.827	Photographer I	C	TBD

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07.829	Sales & Promotion Representative I	C	TBD
07.833	Audiovisual Technician II	C	TBD
07.836	Audiovisual Technician I	C	TBD
07.850	Sales & Promotion Representative II	C	TBD
07.853	Radio Broadcaster/Production Assistant	C	TBD
07.862	Graphic Designer II	C	TBD
07.864	Graphic Designer I	C	TBD
07.928	IT Technician VI	C	TBD
07.931	IT Technician V	C	TBD
07.935	IT Technician IV	C	TBD
07.940	IT Technician III	C	TBD
07.941	IT Technician II	C	TBD
07.943	IT Technician Trainee	C	TBD
07.957	IT Technician I	C	TBD
09.201	Equipment Operation Instructor	C	TBD
09.402	Piano Technician	C	TBD
09.436	Facility Mechanical Technician Trainee	C	TBD
09.437	Events Center Technician I	C	TBD
09.438	Facility Mechanical Technician	C	TBD
09.470	Theater Technician I	C	TBD
09.493	Exhibit Technician	C	TBD
09.501	National Guard Range Specialist	C	TBD
09.545	Meat Plant Technician Trainee	C	TBD
09.546	Meat Plant Technician I	C	TBD
09.547	Meat Plant Technician II	C	TBD
09.580	Research Technician	C	TBD
09.726	Reprographics Technician II	C	TBD
09.727	Reprographics Technician I	C	TBD
09.753	License Plate Production Technician I	C	TBD
10.726	Laboratory Technician II	C	TBD
10.729	Laboratory Assistant II	C	TBD
10.733	Laboratory Technician I	C	TBD
10.736	Laboratory Assistant I	C	TBD
10.740	Radiological Technologist	C	TBD
10.769	Staff Research Associate IV	C	TBD
10.770	Staff Research Associate III	C	TBD
10.771	Staff Research Associate II	C	TBD
10.772	Staff Research Associate I	C	TBD
11.122	Public Safety Dispatcher III	C	TBD
11.124	Public Safety Dispatcher II	C	TBD
11.126	Public Safety Dispatcher I	C	TBD
11.129	N.C.J.I.S. Program Specialist	C	TBD
11.130	N.C.J.I.S. Program Specialist Trainee	C	TBD
11.133	Fingerprint/Records Examiner III	C	TBD
11.134	Fingerprint/Records Examiner II	C	TBD
11.135	Fingerprint/Records Examiner I	C	TBD
11.243	Military Security Officer I	C	TBD

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11.263	Security Officer	C	TBD
11.271	University Parking Enforce Officer II	C	TBD
11.273	University Parking Enforce Officer I	C	TBD
11.423	DMV Services Technician IV	C	TBD
11.424	DMV Services Technician III	C	TBD
11.425	DMV Services Technician II	C	TBD
11.426	DMV Services Technician I	C	TBD
11.431	Motor Vehicle Inspector II	C	TBD
11.433	Motor Vehicle Inspector I	C	TBD
11.434	Motor Vehicle Appraiser	C	TBD
11.550	Taxicab Vehicle Inspector I	C	TBD
11.553	Commercial Vehicle Safety Inspector II	C	TBD
11.554	Commercial Vehicle Safety Inspector I	C	TBD
11.555	Emission Control Technician II	C	TBD
11.557	Emission Control Technician I	C	TBD
11.560	Manufactured Housing Inspector II	C	TBD
11.561	Manufactured Housing Inspector I	C	TBD
12.374	Family Services Specialist III	C	TBD
12.376	Family Services Specialist II	C	TBD
12.379	Family Services Specialist I	C	TBD
12.442	Rehabilitation Technician III	C	TBD
12.443	Rehabilitation Technician II	C	TBD
12.444	Rehabilitation Technician I	C	TBD

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EXHIBIT 5

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July 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 Audit completed; Election plan drafted	2 Post agenda; Send backup materials to Board	3	4 INDEPENDENCE DAY	5	6
7	8	9	10 BOARD MEETING Board orders election; order issued	11 14-day waiting period begins	12	13
14	15 DHRM & NSHE e-mail Excelisior lists to EMRB	16 EMRB e-mails Excelisior lists with key numbers to DHRM & AFSCME	17	18	19	20
21	22	23	24 14-day waiting period ends	25 Election notice forwarded to DHRM & NSHE	26	27
28	29	30	31 DHRM & NSHE certify election notices have been sent via blast e- mails			

Note: During the 14-day waiting period EMRB will print the outgoing, return and ballot envelopes and will also get Mail Services to place postage on the return envelopes. EMRB will begin printing ballots and combined election notice and voting instruction page on July 25th, which is after expiration of the 14-day waiting period.

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August 2024						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1 EMRB mails ballot kits to qualified voters on Excelisior lists	2	3
4	5	6	7 BOARD MEETING	8 BOARD MEETING	9 BOARD MEETING	10
11	12	13	14	15	16	17
18	19	20	21	22 Deadline to pick up a replacement ballot is 4pm; EMRB issues supplemental list by 4:30pm	23	24
25	26 EMRB sets up Nevada Room for tomorrow	27 Ballots counted in the Nevada Room beginning at 9am	28 EMRB posts vote tally; objection period begins	29	30	31

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September 2024						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 LABOR DAY	3	4	5	6	7
8	9 Objection period ends	10	11 Post agenda; Send backup materials to Board	12	13	14
15	16	17	18 BOARD MEETING	19 BOARD MEETING Board certifies election	20 BOARD MEETING Order issued	21
22	23	24	25	26	27	28
29	30					

The following section of the election plan shows changes to Section 2.05 that have been agreed to by AFSCME, Local 4041 and the State of Nevada. NSHE did not respond to the proposed changes.

Section 2.05: Campaigning By and To Eligible Voters

The following are the rules related to campaigning:

(a) There shall be no campaigning by representatives and employees from any party on STATE or NSHE property or outside of the employees' breakrooms and lunchrooms. This does not mean campaigning cannot occur during employees' break and lunch times in employee breakrooms and lunchrooms pursuant to any Department or Division policies. Discussion or solicitation between employees during work hours shall not be deemed to be campaigning if the employer permits employees to talk about non-work items during working time. Additionally, AFSCME representatives will be allowed to visit specific job-sites in accordance with any practice currently followed at those specific job-sites, including, but not limited to, notice requirements, specific location of the visit and length of the visit. The visiting AFSCME representatives will only interact with interested employees on the employee breaks, lunches, or other non-work time in accordance with the practice in place at the specific job-sites. AFSCME understands that access may be revoked for representatives who breach these conditions.

(b) There shall be no distribution of campaign material or literature on property, including breakrooms, employee lounges, etc., by the employees or representatives of either AFSCME or the STATE or NSHE during employees' working hours; provided, however, there shall be no bar to the distribution of campaign materials or literature from or on other STATE or NSHE public property (e.g., public sidewalks or entrances to parking lots, etc.) and during employees' break and lunch times.

(c) Notwithstanding the provisions of subsections (a) or (b) above, the UNIT C EMPLOYEES shall (i) be allowed to solicit one another with regard to this election before work, after work and on their regularly scheduled break times, provided that the employee doing the solicitation and the employee being solicited are on their regularly scheduled break or are off duty and transiting to or from their work stations; (ii) be allowed to exchange literature on STATE or NSHE property during such non-working times in non-working areas; (iii) be allowed to wear buttons, t-shirts, jackets or other insignia of AFSCME, provided that such buttons, t-shirts, jackets, etc., do not convey the message "vote for..." or "vote against..." AFSCME or the No Union option; and (iv) provided that the STATE or NSHE cannot prohibit employees from talking about the union during working time if it permits employees from talking about other non-work items during

working time. Also, notwithstanding the provisions of (a) and (b) above, nothing in this Order shall limit the right of the STATE or NSHE to communicate to its employees its views, arguments or opinions, provided that there is no threat of reprisal or force or promise of benefit.