

STATE OF NEVADA

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**DEPARTMENT OF BUSINESS AND INDUSTRY
GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD**

May 21, 2024

**MINUTES OF THE MEETING OF THE GOVERNMENT
EMPLOYEE-MANAGEMENT RELATIONS BOARD**
(Meeting No. 24-06)

A meeting of the Board sitting *en banc* of the Government Employee-Management Relations Board, properly noticed and posted pursuant to the Nevada Open Meeting Law, was held on Tuesday, May 21, 2024 at 8:15 a.m. The meeting was held in the Carl Dodge Conference Room, located in the EMRB Office located on the fourth floor of the Nevada State Business Center, 3300 W. Sahara Avenue, Las Vegas, NV 89102. The meeting was also held virtually via WebEx.

The following Board members were present:

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

Also present:

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

Members of the Public Present:

Paul Cotsonis, Esq., for NPU
Tom Donaldson, Esq., Dyer Lawrence
Ron J. Dreher, Esq., for APTA
Anthony Hall, Esq., for Washoe Co. School Dist.
Andrew Regenbaum, Esq., NPOA
Bradley Schrager, Esq., for CCEA
Ron P. Dreher, APTA
Jessica Halterman, Walker River Irrigation Dist.
Jenny Helton, Governor's Finance Office
Dawn Huckaby, Lyon County School District
John Vellardita, CCEA
Alexandria Shelton
Suzanne Haldeman
Chaz Lehman, Esq., Washoe Co. D.A.'s Office
Derek Keller, City of Sparks Fire Department

Tracy Record, WCSD employee
Mary DeLorme
Matthew Martinez
Dylan Lawter, Esq., for NSEU
Erin Miskimins
Nicole Moreno

The agenda:

1. Opening Items

The meeting was called to order on Tuesday, May 21st by Chair Eckersley at 8:15 a.m. On roll call all members were present except for Board Member Urban, who was excused. Thus, a quorum was present. The Pledge of Allegiance was recited followed by a moment of silence.

2. Public Comment

No public comment was offered.

3. Approval of the Minutes

Upon motion, the Board approved the minutes of the meeting held April 18 & 23, 2024.

4. Setting of Future Board Meeting Dates

Upon motion, the Board set additional meeting dates as follows: August 7-9, 2024 and September 18-20, 2024.

5. Setting of the Annual Assessment Rates

Commissioner Snyder explained the two separate reserves and how the formula for allocating expenses works, along with how that change affects the setting of the rates. He also explained that the goal is to keep a 90-day reserve in each reserve and that the EMRB is trending toward those numbers. He further explained that he recommends the EMRB keep a minimum of \$48,000 in the State government reserve to cover the cost of potential elections for the four unrepresented bargaining units. Based on the above, he recommends that the local government rate remain at \$3.00 while the State government rate be reduced from \$6.00 to \$4.25.

Upon motion, the Board set the local government rate at \$3.00 per local government employee and set the State government rate at \$4.25 for each employee entitled to collective bargaining at the State level. The Board also authorized the Commissioner to notify the user community of what potential future rates may look like.

6. Case 2023-020

Clark County School District v. Clark County Education Association

Commissioner Snyder stated that CCEA filed a document yesterday requesting the stay be lifted. The Board reviewed the Joint Status Report and, upon motion, lifted the stay and ordered a settlement conference be held pursuant to NRS 288.255 by the end of June 2024. If the case does not settle, then the Respondent shall file its response within 21 days after the conclusion of the settlement conference.

7. **Case 2023-027**

Joseph Mendoza and North Lyon Firefighters Association, International Association of Fire Fighters, Local 4547 v. North Lyon County Fire Protection District, Daniel McCassie, in his official capacity, and Harry Wheeler, in his official capacity

Upon motion, the Board granted that Stipulation Dismissing Complaint With Prejudice, as presented.

8. **Case 2023-036**

Edwin Martin v. Truckee Meadows Fire Protection District

Upon motion, the Board granted a hearing in the case. The case was then randomly assigned to Panel B. The hearing will tentatively be set for the July Board meeting.

9. **Case 2024-002**

Nye County Management Employees Association v. Nye County

The Board took no action at this time on whether to grant a hearing. The case will remain in the queue until a decision is reached in companion case 2023-033.

10. **Case 2024-008**

Carson Educational Support Association v. Carson City School District

Upon motion, the Board granted the Stipulation to Stay Case Pending Arbitrator's Award.

11. **Case 2024-011**

In Re: Petition for Recognition as the Exclusive Representative for Unit L by Nevada Police Union

The Board called this agenda item and the following agenda item together. Commissioner Snyder then proceeded to review both audit reports, showing that the Nevada Police Union met the threshold for NRS 288.520 while the Nevada Peace Officer Association met the threshold for NRS 288.525. The Board then heard oral argument from the attorneys representing each labor organization as to the interplay between NRS 288.520 and NRS 288.525. The Board then deliberated on the petition filed by NPU and, and upon motion, granted the petition as it met the requirements of NRS 288.520.

12. **Case 2024-012**

In Re: Petition for Election to Determine the Exclusive Representative of Bargaining Unit L by the Nevada Peace Officer Association and the Nevada Association of Public Safety Officers

The Board called this agenda item and the preceding agenda item together. Commissioner Snyder then proceeded to review both audit reports, showing that the Nevada Police Union met the threshold for NRS 288.520 while the Nevada Peace Officer Association met the threshold for NRS 288.525. The Board then heard oral argument from the attorneys representing each labor organization as to the interplay between NRS 288.520 and NRS 288.525. The Board then deliberated on the petition filed by NPOA and, upon motion, denied the petition.

13. Case 2024-001

Association of Professional-Technical Administrators v. Washoe County School District; and also Consolidated Case 2023-015 (with 2023-023) Association of Professional-Technical Administrators v. Washoe County School District and Washoe County School District v. Association of Professional-Technical Administrators

The Board heard oral arguments from the attorneys representing both parties regarding Complainant's Notice Pursuant to Order to Stay Proceedings. Afterwards, Chair Eckersley noted that the 30-day period in the Board's most recent order would not expire to until the close of business and asked counsel for APTA whether they would prefer to postpone this item at which time counsel for APTA stated they would not be filing any action in District Court.

Thereupon the Board deliberated on the matter, and upon motion, granted Respondent's Motion to Dismiss Complainant's First Amended Complaint, with prejudice. Chair Eckersley then stated that Complainant's Motion to Bar Respondent's Affirmative Defenses and Respondent's oral motion raised on April 18, 2024 to quash subpoenas were therefore moot.

14. Case 2024-003

John Leonard v. Washoe County and Washoe County Sheriff's Office

The Board deliberated on the Motion to Dismiss Complaint, and upon motion, granted the motion, with prejudice.

15. Case 2024-006

Lyon County Education Association v. Lyon County School District

The Board deliberated on the Motion to Dismiss, and upon motion, denied the motion. The parties shall file prehearing statements within 21 days of the Notice of Entry of Order.

16. Case 2024-009

Nevada Service Employees Union v. Southern Nevada Health District

The Board deliberated on Respondent Southern Nevada Health District's Motion to Dismiss Petition for Declaratory Order or, Alternatively, Prohibited Practices Complaint, and upon motion, and upon motion, denied the motion and instead ordered that a hearing be held on the petition. The parties shall file prehearing statements within 21 days of the Notice of Entry of Order.

The case was then randomly assigned to Panel C. The hearing will tentatively be set for the August Board meeting.

17. Additional Period of Public Comment

No public comment was offered. However, Anthony Hall, representing the Washoe County School District for agenda item 13 inquired about Consolidated Case 2023-015. Chair Eckersley in response stated the case will remain on hold and this status will be revisited upon the expiration of any time period to file a petition for judicial review in

Case 2024-001. Ron P. Dreher then wanted a clarification as to the decision rendered for agenda item 13, at which time Chair Eckersley reiterated the Board's decision.

18. Adjournment

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

Respectfully submitted,

Bruce K. Snyder,
EMRB Commissioner