



Government Employee- Management Relations Board

Nevada Department of Business and Industry

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Members of the Board

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

List of Panels

Panel A Eckersley, Masters, Williams
Panel B Smith, Masters, Williams
Panel C Smith, Masters, Urban
Panel D Eckersley, Smith, Urban
Panel E Eckersley, Williams, Urban

Note: The first person listed for each panel is the Presiding Officer.



Staff

Marisu Romualdez Abellar, Commissioner
mabellar@business.nv.gov Direct Line: 702-486-6157

Kelly Valadez, Board Secretary
Kelly.valadez@business.nv.gov

Cathy Zamora, Administrative Assistant
ozamora@business.nv.gov

Employee-Management Relations Board general email:
emrb@business.nv.gov

General line: 702-486-4505

Not the End, But the Beginning (The Sequel)

This is the 12th year the EMRB has published a monthly newsletter. Started by former Commissioner Bruce Snyder in 2014, it was a way to deliver information to the agency stakeholders, and I am excited to continue this tradition. You may notice the new look of the newsletter. Although it is a new look, it builds on its predecessor and will highlight the same type of information that the EMRB has always provided. We will try to improve on the way the newsletter is delivered and read and make it easier to navigate. There will always be a pdf version attached to the email you receive, and a link to the online version. Both the pdf and online versions will have article links within the newsletter, and links to additional information located on our website and other sites. The online version of the e-newsletter is available under the [E-Newsletter](#) section on the website.

If you want to subscribe to the e-newsletter, there is a link on our homepage or please send an email to emrb@business.nv.gov and request to be included in the e-newsletter subscription list. If you would like to see other information included in future newsletters, please email me at mabellar@business.nv.gov.

New Staff Introduction

February 28, 2025, marked a transition of Commissioners when Bruce Snyder retired, and I assumed the position on March 3, 2025. Assuming my former position of Board Secretary is Kelly Valadez who, before her appointment, was a Commission Coordinator at the Nevada Real Estate Division. Rounding out the staff is Cathy Zamora, our Administrative Assistant. Please refer to page 1 for our emails and phone numbers. As a reminder, please continue to send document filings and general correspondence to emrb@business.nv.gov.

On the Horizon

The next meeting of the Board will be on April 1-2, 2025. The meeting, which will begin at 8:30 a.m. each day, will be held in the Tahoe Conference Room, and will also be held by Teams. The agenda can be found [here](#).

Panel B will hear Case 2024-033, IAFF Local 4068 v. Town of Pahrump. Local 4068 alleges that the Town of Pahrump committed a prohibited practice by not bargaining in good faith with Local 4068 over safety issues of EMS interfacility transports (IFT) after certain hours in violation of NRS 288.270(1)(a) and (e). They allege that in June 2023, the parties came to an agreement that IFT runs would only occur between 8:00 a.m. and 10:00 p.m., but that the Town subsequently outsourced the IFT runs outside the agreed-upon hours to a private company. Local 4068 then requested the Town to participate in impact bargaining regarding the issues of safety and outsourcing. The Town did not agree to bargain over these issues as they believed it was a management decision not covered by the CBA. Local 4068 then filed a grievance against the Town in January 2024 for breach of the agreement on IFT hours; the Town replied there was no agreement and the Town ceased IFTs as a management decision.

Also on the agenda is the Board's deliberation on Respondents' Motion to Stay EMRB Proceedings Pending Exhaustion of Contractual Remedies filed in Case 2024-041, Henderson Police Supervisors Association v. City of Henderson and Police Chief Hollie Chadwick.

Mediation, Arbitration and Factfinding

The Federal Mediation & Conciliation Service (FMCS) has announced on their website that they are reviewing the [March 14, 2025, White House Executive Order](#) for immediate implementation. Section 2(a) of the Executive Order specifically names the FMCS as a governmental entity to be "eliminated to the maximum extent consistent with applicable law, and [...] shall reduce the performance of their statutory functions and associated personnel to the minimum presence and function required by law." At this moment, we are unsure if and how this Order will affect the mediation/arbitration services FMCS can provide to local governments and employee representatives to mediate or arbitrate labor negotiations and disputes. Please consult your CBA or legal counsel for guidance.

Additionally, the EMRB maintains a list of [mediators/arbitrators/factfinders](#) on our website as a resource for our stakeholders. We can also provide parties with a randomly selected list of potential mediators who could be utilized for negotiations mediation under [NRS 288.190](#).

Recent Decisions

Please note that summaries of recent decisions are provided for informational purposes only and are not intended to substitute for the opinions of the Board. These summaries should not be cited to or regarded as legal authority. The EMRB will provide copies of the decisions upon request, or they may also be found on our website by clicking on the item number below.

Item No. 907 Case 2024-016, In the Matter of Clark County, Petition for Declaratory Order. Clark County filed a petition for a declaratory order asking the Board's input on five questions. **[ONLY A SHORT SUMMARY OF THE BOARD'S CONCLUSION IS NOTED IN () AFTER EACH QUESTION. THE READER IS HIGHLY ENCOURAGED TO READ THE ENTIRE ORDER.]**

- (1) When an employee separates from employment after the CBA has expired and before a successor agreement is reached, does a bargaining agent lack standing to represent the former employee through negotiations and fact

finding? (The Board found in general that a bargaining agent no longer has the duty or authority to continue to negotiate on behalf of separated employees; however, exceptions may exist regarding retroactivity.)

- (2) When an employee transfers from one bargaining unit to another after a CBA has expired and before a successor agreement is reached, does the principle of exclusive representation prevent the former bargaining agent from continuing to represent the employee through negotiations and fact finding? (The Board found that the new exclusive bargaining agent has the authority and responsibility to act on that employee's behalf after the employee joins that unit, and this may include a claim that the new CBA for the new bargaining unit has retroactive provisions that should apply to the new member of that unit.)
- (3) When a prior agreement is unresolved before negotiations for a successor agreement begin, such that there are two negotiations simultaneously occurring, can a party temporarily defer negotiations on the successor agreement on subjects that are derivative of the unsettled terms until the prior agreement is finalized? (The Board found that a party may not simply defer negotiations on a successor agreement, even on subjects that are derivative of unsettled terms from the prior agreement.)
- (4) Does the retroactive provision in NRS 288.215(10) authorize a factfinder to change the terms of a party's final offer that included specific effective dates? (The Board found that NRS 288.215(10) is ambiguous on its face, and the retroactive language could be interpreted as applying only in the absence of any language in the offer that is selected by the arbiter that limits the or prohibits retroactivity.)
- (5) When the parties agree to a reopener during the term of an agreement, do the fact-finding procedures automatically apply to reopener negotiations? (The Board found that the fact-finding procedures automatically apply to reopener negotiations.)

In the Queue

Once initial pleadings, including prehearing statements, have been filed with the EMRB and after any motions to dismiss or defer have been decided, then a case typically goes into a queue, waiting for the Board to decide whether to grant a hearing in the case or dismiss the complaint. At the moment, there are no cases in the queue.

The following cases are scheduled for a hearing:

April 1-April 2, 2025; In-Person in Las Vegas and via TEAMS

Case 2024-033; International Association of Firefighters Local 4068 v. Town of Pahrump

April 28-30, 2025; In-Person in Las Vegas and via TEAMS

Case 2024-015; Susan Herron v. Incline Village General Improvement District

Legislative Update

Below are the bills filed as of March 28, 2025, that could affect public sector collective bargaining, eight (8) Senate Bills and four (4) Assembly Bills. The EMRB is neutral on all bills.

Senate Bill 2

The bill would require negotiations, negotiation mediations and fact finder and arbitrator investigations to be open to the public.

Senate Bill 161

The bill would revise provisions to exclude teachers from pledging not to strike, allow them to seek court authorization to strike and to engage in other strike-related activities.

Senate Bill 189

The bill would revise the definition of physician in NRS 288.140 to include genetic counselor.

[Senate Bill 211](#)

The bill would allow State peace officers and firefighters to leave PEBP and obtain other life, accident or health insurance.

[Senate Bill 224](#)

The bill would prescribe the Dept. of Education to convert certain public schools to Dept. charter schools; and prohibit collective bargaining concerning the termination of employment or reassignment of Dept. charter school employees.

[Senate Bill 298](#)

The bill would amend NRS 288.505, grievance arbitration.

[Senate Bill 301](#)

The bill would authorize State unclassified CAT I, II or III peace officers to engage in collective bargaining.

[Senate Bill 410](#)

The bill would revise NRS 288.150(f) to add insurance benefits of employee dependent as a subject of mandatory bargaining.

[Assembly Bill 155](#)

The bill would revise NRS 288.150 to include the ratio of pupils per licensed teacher and per specialized instructional support personnel.

[Assembly Bill 191](#)

The bill would grant collective bargaining rights to NSHE faculty and administrative professionals.

[Assembly Bill 356](#)

The bill would revise certain State collective bargaining deadlines including the start of negotiations, when to request mediation and when arbitration should begin after mediation.

[Assembly Bill 390](#)

The bill would authorize collective bargaining for task delivery workers.

[Did You Know?](#)

There are only four words in the English language that end with "dous": tremendous, stupendous, horrendous, and hazardous. Interestingly, all these words have described our workplace experience at one point or another, and hopefully for the majority, it is the first two and not the latter. But for the unlucky ones that are in a horrendous and hazardous workplace, how do you stay sane and safe in a toxic environment and survive?

tips to survive in a toxic work environment.

1. stay collected and speak calmly
2. get your manager involved
3. set distinct boundaries
4. recover your mental health
5. learn and move on



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PRIORITIZE YOU!

Whether you are the employer or the employee, you do not need studies to tell you that mental wellbeing plays a huge role in keeping everybody on the team performing at optimum levels. People are the most important asset of an organization in any industry.

Making your mental and emotional wellbeing your priority will hopefully guard you against that toxic environment so that when you are able to move on, you will know what a healthy work environment is where you are recognized and valued as a worker and as a person.

About the EMRB

The Government Employee-Management Relations Board (EMRB), a Division of the Department of Business and Industry, fosters the collective bargaining process between governments and their labor and employee organizations (i.e., unions), provides support in the process, and resolves disputes between governments, labor and employee organizations, and individual employees as they arise.