



Government Employee- Management Relations Board

Nevada Department of Business and Industry

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Members of the Board

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Michael J. Smith, Board Member
Tammara M. Williams, Board Member
Michael A. Urban, Esq., Board Member

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List of Panels

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

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

Board Member Urban Sworn Into Office

At the beginning of last week's Board meeting, Michael A. Urban was officially sworn in as a Board Member. Mr. Urban is the principal of the Urban Law Firm. A graduate of the Whittier College School of Law, his law firm practices in several areas, including real estate, ERISA and Taft-Hartley. He also represents individuals and private sector unions before the National Labor Relations Board. We welcome both him and his extensive experience to the Board.



On the Horizon

The next Board meeting will be May 3, 2023, to be held in-person in Las Vegas and via WebEx. At that time the Board, among other minor items, will deliberate on two motions to dismiss for Case 2023-002, Clark County Education Association v. Clark County School District and Case 2021-002, Nevada Association of Public Safety Officers v. Las Vegas Metropolitan Police Department & Las Vegas Police Protective Association.

Assessment Rates to Be Set

On May 3rd, the Board will be setting the rates for the annual assessment invoices, which will be mailed in late June and payable by July 31st. The current rate for local governments is \$3.00 per employee, which was reduced from \$6.00 per employee in 2020. That rate has been consistent since. The current rate for the State is \$6.00 per employee, which has been in effect since the inception of State collective bargaining back in 20109. Staff will be recommending to the Board that the rates be kept as is for the coming year.

Legislative Update

Below are the 16 bills filed affecting public sector collective bargaining. The information below is as of April 14th., which was the deadline for bills to make it out of committee in the house of origin unless a bill has been marked as exempt. The next deadline is April 25th. By then all non-exempt bills must be voted out of the house of origin and moved onto the other chamber. The session is scheduled to end on June 5th. The EMRB is neutral on all bills. Please contact the EMRB office if you would like to receive a copy of a bill.

BILLS IN THE SENATE

On the Floor

Senate Bill 38 *Sponsor: Senate Committee on Judiciary. Do Pass as Amended. Waiting to be sent to the floor.* This bill makes a technical change to NRS 288.150 for a bill whose primary purpose is unrelated to collective bargaining but rather is related to sexual offenses.

Senate Bill 166 *Sponsors: Senator Pazina, Assemblyman Hibbetts, Assemblyman Yurek. Do Pass as Amended. Waiting to be sent to the floor.* NRS 288.138 currently excludes certain peace and fire officers from being deemed supervisory employees. This bill would also exempt certain employees who provide civilian support services under a paramilitary command structure to a law enforcement agency. The bill would also a twelfth State bargaining unit for peace officer supervisory employees, splitting them off from the current supervisory bargaining unit.

Senate Bill 251 *Sponsor: Senator Flores. Do Pass. Waiting to be sent to the floor.* Existing law makes it a mandatory subject of bargaining for school districts to negotiate provisions for the transfer and reassignment of teachers, including special provisions for school districts with local school precincts (i.e., CCSD). This bill would make those bargaining provisions applicable to school support employees.

Senate Bill 264 *Sponsor: Senator Donate. Do Pass as Amended. Waiting to be sent to the floor.* Existing law requires that peace officers working for a local government be in a separate bargaining unit. This bill would require that civilian employees providing support services to a law enforcement agency be in a bargaining unit separate from other white and blue-collar employees.

Senate Bill 282 *Sponsor: Senator Nguyen. Do Pass as Amended. Waiting to be sent to the floor.* This bill does not directly change NRS 288 but does affect collective bargaining. The bill would clarify that the hiring of staff by a principal of a local school precinct must conform to applicable collective bargaining agreements, among other items.

In Committee

Senate Bill 319 (Marked Exempt) *Sponsors: Senators Harris and Spearman. Do Pass. Reported to the floor and reassigned to the Senate Committee on Finance.* Existing law for collective bargaining at the State level only includes certain classified employees. This bill would add category I, II or III peace officers in the unclassified service of the State.

Senate Bill 388 *Sponsor: Senator Scheible. Assigned to the Senate Committee on Government Affairs. Do Pass as Amended. Waiting to be sent to the floor.* This bill would allow for a provision of a collective bargaining agreement at the State level to establish a negotiated rate for employee contributions, rather than a matching rate, and require the employer to pay the remainder of contributions required on behalf of the employee and would further make this a mandatory subject of bargaining.

BILLS IN THE ASSEMBLY

On the Floor

Assembly Bill 153 *Sponsor: Assemblywoman Marzola. Do Pass as Amended. Waiting to be sent to the floor.* This bill would license and regulate the practice of naprapathy. This bill makes a technical change to NRS 288.140 to include naprapaths in the definition of physicians. Physicians may not collectively bargain with local governments.

Assembly Bill 172 *Sponsors: Assemblywoman Anderson, Assemblywoman Duran, Assemblyman Carter, Senator Daly. Passed on third reading 28-14. Waiting to be sent to the Senate.* This bill would require each local government employer to semiannually provide each recognized employee organization with the address, telephone number, work contact information and work location for each employee in the bargaining unit.

Assembly Bill 224 *Sponsors: Assemblywoman Peters, Assemblyman Watts, Assemblywoman Bilbray-Axelrod, Assemblywoman Anderson, Assemblywoman La Rue Hatch, Senator Nguyen. Do Pass as Amended. Waiting to be sent to the floor.* This bill would authorize collective bargaining for certain state employees, most notably professors and other professional employees of NSHE, with said activities being under the jurisdiction of the EMRB.

(cont'd on next page)

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. The following cases are scheduled for a hearing:

June 13-15, 2023, In-Person in Las Vegas and also via WebEx

2022-018, International Union of Elevator Constructors, Local 18 v. Clark County

June 15, 2023, via WebEx

2023-001, Pershing County Law Enforcement Association v. Pershing County

August 14-15, 2023, In-Person in Las Vegas and also via WebEx (tentative dates)

2022-019, International Union of Electrical Operators, Local 501 v. University Medical Center of Southern Nevada

September 18-20, 2023, In-Person in Carson City and also via WebEx (tentative dates)

2022-002, Association of Professional-Technical Administrators v. Washoe County School District

Legislative Update (cont'd)

Assembly Bill 378 *Sponsor: Assembly Committee on Government Affairs. Do Pass as Amended. Waiting to be sent to the floor.* This bill would move up the deadlines for the start of collective bargaining, mediation and arbitration at the State level to allow for an added month in the process of bargaining.

DEAD BILLS OR BILLS NO LONGER BEING TRACKED

Senate Bill 206 *Sponsor: Senator Buck.* This bill would have made many changes related to K-12 education. One of the changes would have prohibited collective bargaining concerning the termination of employment or reassignment of the employees of a department charter school.

Senate Bill 347 *Sponsors: Senators Donate and Watts.* This bill would have made technical changes to three provisions of NRS 288 for a bill whose primary purpose is the deconsolidation of the Nevada System of Higher Education. However, the bill was amended to delete the entire bill and instead do an interim study next year on funding. Thus, it is no longer being tracked.

Assembly Bill 180 *Sponsors: Assemblyman Hibbetts, Assemblyman Yurek, Senator Pazina.* This bill would have added a twelfth State bargaining unit for peace officer supervisory employees, splitting them off from the current supervisory bargaining unit. Note: SB 319, which had similar provisions, instead was the bill advanced.

Assembly Bill 211 *Sponsor: Assemblyman O'Neill.* This bill, among other things, would have authorized certain public employers and labor or employee organizations to engage in supplemental bargaining to allow certain law enforcement dispatchers to participate in the Police and Firefighters' Retirement Fund and to convert certain service credits from the Public Employers Retirement Fund.

Assembly Bill 377 *Sponsor: Assembly Committee on Government Affairs.* This bill would have deemed a bailiff or deputy marshal working for a court to be a local government employee; would have set forth restrictions on collective bargaining; and also revise the definition of supervisory employee to include persons who provide civilian support services to a law enforcement agency.

"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.