



# Government Employee-Management Relations Board

Nevada Department of Business and Industry

3300 W. Sahara Avenue Suite 490 ▪ Las Vegas ▪ NV ▪ 89102  
emrb.nv.gov ▪ emrb@business.nv.gov ▪ (702) 486-4505

June 2024

## 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

## Staff

- Bruce K. Snyder, Commissioner
- Marisu Romualdez Abellar,  
Board Secretary
- Cathy Zamora, Administrative Assistant

## Regulation Public Hearing Scheduled

The EMRB will be holding the required public hearing for revisions to the agency's regulations. The public hearing will be held on Wednesday, July 10, 2024 at 8:30 a.m. in Las Vegas. The public hearing will also be on WebEx. Details may be found on our home page at the website address above. The regulations are driven by two Executive Orders issued by the Governor. Executive Order 2023-003 requires each agency to review their regulations to determine which ones could be streamlined, clarified, reduced or otherwise improved. Four of the proposed amendments fall into this category. That Executive Order also required a review to determine which regulations could be eliminated. The proposal seeks to eliminate four such regulations. Finally, Executive Order 2023-008 allows agencies to amend their regulations based on legislation passed in 2023. Section 2 of the proposed amendments adds details on the four new supervisory bargaining units.

We invite you to attend the public hearing as we value your comments and suggestions. Once the regulations are adopted by the Board, they will then be forwarded to the Legislative Counsel Bureau for review by the Legislative Commission at its next meeting.

## Board Approves Timeline to Appoint a New Commissioner

Commissioner Snyder informally advised the Board that he will be retiring as of the end of January 2025. He has been the EMRB Commissioner since November 2013. The Board reviewed and approved a timeline for appointing a successor Commissioner.

In July Commissioner Snyder will formally send his resignation notice and the Board will approve, and post, the job announcement. Applications will be accepted from mid-July through the end of August. In September the Board will review the applications submitted and extend offers to interview to those candidates it deems have the most appropriate qualifications.

Interviews will then take place in October, either at the Board's regular meeting or at a special meeting. Then either in October or November the Board will extend an offer of hire to the candidate it chooses. The new Commissioner will assume the office on Monday, February 3, 2025.

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## 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.

## Look for Your Annual Assessment Invoices

The EMRB will mail the annual assessment invoices to the local governments on June 21<sup>st</sup>. The invoices will be mailed to the official contact person at each local government. In addition, the two invoices to the State and the Nevada System of Higher Education will also be mailed the same day. Your invoice is payable by July 31<sup>st</sup>. If you do not receive the invoice by the end of June, please call our office immediately and we will e-mail you a replacement invoice. When you receive the invoice, please forward it to the appropriate person or section that approves invoices for payment. If, because of your government's bill approval and paying process, you need a little extra time to remit the payment, please call our office and we will work with you.

In May the Board voted to keep the local government rate the same level as last year, which is \$3.00 per local government employee. However, it reduced the State government rate from \$6.00 per State government employee to \$4.25 per State government employee.

In years past only those governments owing \$10,000 or more could pay via ACH or wire transfer. In the last couple years, we heard from several governments who owe less than this and they, too, can also pay via ACH or wire transfer. Instructions to do so are included with the invoice.

## 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. They also may be found on our website.

Item #898; Case 2024-011; Application for Designation as the Exclusive Representative of a Bargaining Unit Pursuant to NRS 288.520 and Pursuant to Senate Bill 166 (2023). Pursuant to NRS 288.520, the Board designated the Nevada Police Union as the exclusive representative for the employees in State bargaining unit L, which consists of Category I Peace Officer Supervisors, finding that the labor organization provided proof of support amounting to 61.1%, which exceeded the 50% plus one threshold for recognition without calling for an election. In a lengthy discussion, the Board held that a petition for recognition without an election trumps a petition calling for an election to determine the exclusive representative (see Item #899 also).

Item #899; Case 2024-012; Petition for Election to Determine the Exclusive Representative of Bargaining Unit L Pursuant to Senate Bill 166 of the 82<sup>nd</sup> Session of the Nevada Legislature. The Board found that the Nevada Peace Officer Association had 31.4% support of the bargaining unit, which would have been enough to call for an election. However, the Board held that this matter was moot because the Board had already designated the Nevada Police Union as the exclusive representative and, pursuant to NRS 288.525(1) an election is not warranted if another labor organization had already been deemed to be the exclusive representative.

Item #900; Case 2024-001; Association of Professional-Technical Administrators v. Washoe County School District. The Board granted Respondent's motion to dismiss. The Board declined to accept jurisdiction in the case, finding that the question regarding the authority of officers of a Nevada non-profit corporation to act is an issue that falls squarely under NRS Chapter 82 and not under NRS Chapter 288.

## Board Fills Administrative Assistant II Position

The EMRB office is once again fully staffed. On June 11<sup>th</sup> Board Member Tammara Williams gave the committee report on the search to fill the vacant Administrative Assistant II position. The committee reviewed 60 candidates and extended interviews to 13 of them. The Board accepted the committee's report recommending the hire of Cathy Zamora. Ms. Zamora will begin work on June 24<sup>th</sup>. We extend our congratulations to Cathy!

## 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:

### **August 7-9, 2024, In-Person in Las Vegas and via WebEx**

Case 2023-036; Edwin Martin v. Truckee Meadows Fire Protection District

### **September 18-20, 2024, In-Person in Las Vegas and via WebEx**

Case 2024-009; Southern Nevada Employees Union v. Southern Nevada Health District

There are two cases waiting in the queue for a hearing date. However, the parties have elected to go to mediation in the interim:

Case 2023-019; AFSCME, Local 4041 v. State of Nevada, Department of Veterans Services, Nevada State Veterans Home

Case 2023-029; AFSCME, Local 4041 v. State of Nevada, Department of Veterans Services, Nevada State Veterans Home

## On the Horizon

The next Board meeting will be July 10, 2024 at 8:30 a.m. This meeting will be held in the Carl Dodge Conference Room within the EMRB office in Las Vegas. The meeting will also be held virtually using WebEx.

There actually will be two meetings that morning. The first will be a public hearing on the proposed regulation (see article on page 1). This will immediately be followed by the second meeting for general Board business. With respect to cases, the Board will hear the audit report (currently being written) on an application by AFSCME, Local 4041, which seeks an election be held to determine whether it would be the exclusive representative for State bargaining unit C, Technical Employees. This may also include the Board ordering an election be held and approving an election plan to do so.

The Board will also rule on a motion to dismiss in Case 2024-015, Susan Herron v. Incline Village GID. In addition, the Board will deliberate on several joint status reports and stipulations to dismiss. Moreover, the Board may grant hearings in two cases: Case 2024-006, Lyon County Education Association v. Lyon County School District and Case 2024-017, Humboldt County Support Staff Organization et al. v. Humboldt County School District et al.

In other business, the Board will also choose its Chair and Vice-Chair for fiscal year 2025, approve Board meeting dates for the last quarter of calendar year 2024, accept the retirement resignation of the current Commissioner and approve the job announcement related to finding his successor.

## Office Closure

The office will be closed on Wednesday, June 19<sup>th</sup> in observance of Juneteenth Day and on Thursday, July 4<sup>th</sup> in observance of Independence Day. Any documents received will be date-stamped for when they were submitted for filing.

### **"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.