



Government Employee-Management Relations Board

Nevada Department of Business and Industry

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August 2024

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

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Marisu Romualdez Abellar,
Board Secretary
Cathy Zamora, Administrative Assistant

Ballots to be Counted August 27th

On July 10th the Board ordered that an election be held to determine whether AFSCME, Local 4041 should be designated as the exclusive representative for State bargaining unit C, which is comprised of technical employees who work across numerous State agencies, including the Nevada System of Higher Education. The ballots were mailed on August 1st to 3,299 eligible employees.

The EMRB will supervise the counting of the ballots on August 27th at 9:00 a.m. in the Nevada Room, which is located on the fourth floor of the Nevada State Business Center. The Board is scheduled to certify the election results on September 19th.

On the Horizon

The next Board meeting will be September 19-20, 2024 at 8:15 a.m. This meeting will be held in the Tahoe Room on the fourth floor of the Nevada State Business Center. The meeting will also be held virtually using WebEx. The Board is scheduled to certify the result of the Unit C election (see article above). It will also determine which applicants for the Commissioner position will receive an interview; deliberate on three cases for the granting of a hearing; and hold a hearing in Case 2024-009, Nevada Service Employees Union v. Southern Nevada Health District. The issues involve not providing information pursuant to NRS 288 and the denial of a promotion.

Another Board meeting will be held October 3-4, 2024 at 8:15 a.m. This meeting will be held in the Carl Dodge Conference Room, which is located in the EMRB Office on the fourth floor of the Nevada State Business Center. The meeting will also be held virtually using WebEx. The Board will hold a hearing in Case 2024-006, Lyon County Education Association v. Lyon County School District. The primary issue involves whether funds from Senate Bill 231 are subject to collective bargaining. Other business will include deliberating on two petitions for declaratory order in Case 2024-016, In the Matter of the Clark County's Petition for Declaratory Order and Case 2024-018, Las Vegas Police Managers and Supervisors Association v. Las Vegas Metropolitan Police Department. The Board will also deliberate on three motions to dismiss.

Finally, the Board is scheduled to meet on October 9th at 8:15 a.m. for the purpose of conducting interviews for the Commissioner position. There is the possibility of other business also being conducted. This meeting will be held in the Red Rock Room on the fourth floor of the Nevada State Business Center. The meeting will also be held virtually using WebEx.

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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.

August 31st Deadline to Apply for Commissioner Position

Commissioner Snyder submitted his retirement letter to the Board on July 10th, announcing he will be retiring from his position as Commissioner on January 31, 2025. At that same meeting the Board approved the job announcement, which has since been posted to the State unclassified job openings website.

To be considered for this position, an applicant must have the following qualifications:

- Bachelor's degree in business administration, public administration, human resources, labor relations or a related field.
- Four years minimum experience in labor law/labor relations, preferably in the public sector.
- Excellent verbal and written communication skills.
- Working knowledge of Microsoft Word, Excel, Outlook, and PowerPoint.
- Juris Doctor from an accredited law school desirable, but not required.

Applications will be accepted through August 31, 2024. The applicants will be reviewed to determine those with the most appropriate qualifications. Those individuals will then be invited to Las Vegas for an interview at their own expense. Please note: In accordance with the Nevada Open Meeting Law, all interviews conducted by the Board will be held in an open meeting scheduled for October 9, 2024. Resumes/applications will be made available to the public.

The position has a salary of \$124,068. The State benefits package includes a defined benefit pension plan (PERS); paid health, dental, life and disability insurance; 12 paid holidays; and paid sick and annual leave. Other employee paid benefits such as deferred compensation plans are available.

If interested, please submit a letter of interest and resume to:

Government Employee-Management Relations Board
Attn: EMRB Board Secretary
3300 W. Sahara Avenue, Suite 490
Las Vegas, NV 89102
or email to: emrb@business.nv.gov.

In the subject line please reference: EMRB Commissioner

For a copy of the official job announcement please email emrb@business.nv.gov.

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 #901; Case 2023-036; Edwin Martin, V. Truckee Meadows Fire Protection District. Complainant alleged he was not promoted to the position of Fire Captain due to both racial and personal reasons discrimination. A prior order dismissed the race allegations and a hearing was held on the personal reasons issue. Upon conclusion of Complainant's case the Respondent orally moved to dismiss the matter on the grounds that the Complainant had failed to establish a prima facie case showing that prohibited personal discrimination was a motivating factor in the denial of the promotion. Upon deliberation the Board granted the motion. In its order, the Board found a remarkable absence of personal discrimination, that the proof provided was primarily circumstantial and the opinion of the Complainant, who was the only witness. The Board also found there was some direct proof showing Complainant had a persistent communications problem.

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:

September 19-20, 2024, In-Person in Las Vegas and via WebEx

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

October 3-4, 2024, In-Person in Las Vegas and via WebEx

Case 2024-006; Lyon County Education Association v. Lyon County School District

November 18-19, 2024, In-Person in Las Vegas and via WebEx

Case 2024-017; Humboldt County Support Staff Organization et al. v. Humboldt County School District et al.

December 9-11, 2024, In-Person in Las Vegas and via WebEx

Case 2024-010; Nevada Service Employees Union v. Clark County

Annual Assessment Payments Now Past Due

The EMRB is a self-funded agency, receiving all its operating funds through local governments paying \$3.00 for each of their employees and the State government paying \$4.25 per employee. The EMRB does not receive any general fund revenues. Payment on the annual assessments was due by July 31st. Since then, the agency has contacted those entities that did not pay on time and most of those who did not pay on time have since paid. The following is a list of those governments who have yet to pay. If your government is on the list, please take appropriate steps to make payment as soon as possible. Those who do not soon pay may be subject to a civil penalty imposed by the Board.

Charter Schools

Futuro Academy
Las Vegas Preparatory-Nevada Preparatory Charter
Pilot-Ed Cactus Park Elementary
Sage Collegiate

Other Governments

Beatty Library District
Elko County
North Lyon County Fire Protection District
Tonopah Library District
Truckee Meadows Fire Protection District

Do you know that Labor Day became an official national holiday in 1894?

Labor Day, the first Monday in September, is a creation of the labor movement and is dedicated to the social and economic achievements of American workers. According to the Department of Labor website, it constitutes a yearly national tribute to the contributions workers have made to the strength, prosperity, and well-being of our country. Through the years the nation gave increasing emphasis to Labor Day. The first governmental recognitions came through municipal ordinances. From these, a movement developed to secure state legislation. The first state bill to become law was passed by Oregon in 1887. By 1894, 23 other states had adopted the holiday in honor of workers, and on June 28th of that year, Congress passed an act making the first Monday in September of each year a legal holiday. So, no matter whether you are in management or a rank-and-file employee, we are all American – and Nevada – workers and we at the EMRB salute you for all you do to make our state a better place to live!

"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.