



Government Employee- Management Relations Board

Nevada Department of Business and Industry

IN THIS ISSUE

[Weathering the Skies, Supporting the Ground](#)

[Adoption Hearing of Regulations, LCB R135-26](#)

[District Court Reverses EMRB on Promotion](#)

[Management Rights](#)

[EMRB Online: Hidden Gems](#)

[On the Horizon](#)

[In the Queue](#)

[Recent Decisions](#)

[Did You Know? Weathering the Present Ground](#)



The 45th Annual Great Balloon Race (2026, Photo Credit: Max Alexander and The Nevada Sagebrush)

Members of the Board

Brent C. Eckersley, Esq., Chair
Michael A. Urban, Esq., Vice Chair
Michael J. Smith, Board Member
Bruce K. Snyder, Esq., Board Member
Jerry Keating, Board Member

List of Panels

Panel A Eckersley, Urban, Keating
Panel B Urban, Smith, Snyder
Panel C Eckersley, Snyder, Keating
Panel D Urban, Smith, Keating
Panel E Eckersley, Smith, Snyder

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

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Weathering the Skies, Supporting the Ground

Every September, the skies over Reno transform into a breathtaking canvas of color, marking the return of a beloved Silver State tradition: **The Great Reno Balloon Race**. For decades, tens of thousands of Nevadans have gathered at Rancho San Rafael Regional Park, blankets in hand, to watch over 100 hot-air balloons ascend into the crisp dawn air. This year, the race was held on September 10-13, 2026, and attended by an estimated 150,000 people. For those lucky enough to witness it in person, it was a spectacular visual feast, but the balloon race represents something far deeper for our community.

It is a powerful, living tribute to the spirit, dedication, and hard work of Nevada's public labor force. Washoe County and State public workers, ranging from park rangers who maintain the pristine grounds of Rancho San Rafael, to the city maintenance crews, regional transit operators, and public safety personnel who ensured everyone arrived and enjoyed the festival safely—this world-renowned festival was supported directly by Nevada's public labor. It is a shining example of what public service achieves: creating free, accessible, and world-class experiences that elevate our entire community.

[#GreatRenoBalloonRace](#) [#NevadaOutdoors](#)

Adoption Hearing of Regulations, LCB File No. R135-26

The Board held a hearing on LCB File No. R135-26 on September 22, 2026, at 10:00 a.m. to consider possible adoption of the proposed amendments to Chapter 288 of the Nevada Administrative Code. These proposed revisions reflect feedback received during the three workshops concerning filing procedures, as well as insights from an internal review of the Board's existing processes and regulations, with the goal of improving clarity, consistency, and efficiency.

The EMRB received written comments regarding Section 8, which will affect NAC 288.340, one from Francis C. Flaherty, representing multiple employee organizations, and Swen Prior on behalf of LVMPD, that raised concerns about the proposed amendments.

Both comments opposed the new abstention provision, which would allow Board and panel members to abstain from voting without fully explaining their reasons. They caution that this contradicts Nevada law requiring disclosure, undermines public confidence, and risks deadlocked votes that prevent timely decisions.

Mr. Flaherty's comment emphasized that the regulation cites an inapplicable statute and conflicts directly with disclosure mandates in NRS 281A.420. LVMPD echoed these concerns and adds that panel abstentions could halt decisions after parties have already invested significant resources. LVMPD also raised a second issue: the proposed allowance of oral dissents. They recommend requiring written or transcribed dissents to ensure clarity for parties and for potential appeals.

Both comments urged the Board to revise the proposed regulation to align with statutory requirements, prevent decision-making gridlock, and preserve transparency in Board proceedings.

As a result of these comments and after discussion, the Board proposed changes to LCB R135-26:

Oral Dissents (NAC 288.340(3))

The Board agreed with the intent of allowing oral dissents at the time a vote is taken. Members recommended simplifying and clarifying the language by:

- Stating that any oral dissent and any comments made during the vote should be included in the meeting minutes, which are retained permanently.
- Allowing a dissenting member the right, but not the obligation, to provide a written dissent if a written order is issued later.
- Ensuring transparency even when votes occur outside a formal hearing (e.g., when the hearing took place weeks earlier and only the vote is being announced).
- Recognizing that written dissents provide lasting clarity since oral recordings are kept only for one year under administrative rules.

Abstentions (NAC 288.340(4))

Regarding abstentions, the Board agreed with retaining the first sentence permitting abstention under NRS 241.0355 and NRS 281A.420. However:

- Members recommended removing the second sentence, which stated that a Board or panel member "is not required to explain the reason for their abstention."
- The Board noted this statement conflicts with NRS 281A.420, which requires disclosure of the reason for abstaining.
- Members agreed the regulation should simply state that abstentions are subject to the governing statutes, leaving detailed wording to LCB drafting conventions.

Overall, the Board's suggested revisions aim to improve clarity, preserve transparency, and align the regulation with statutory requirements, while ensuring dissents and abstentions are properly documented.

These revisions will be forwarded to the LCB for updates to R135-26, and a follow-up adoption hearing will be scheduled once the updated regulation is returned.

Your Voice Matters

We appreciate your participation and greatly value the input of our stakeholders as we commit to making this process truly collaborative. Your feedback is important to us and will help shape these proposed changes, and we thank you for your continued engagement.

LOOKING TO THE FUTURE – EXECUTIVE ORDER 2026-003

We're also launching a fresh review of NAC Chapter 288 to enhance clarity, improve efficiency, and better serve our stakeholders following Governor Joe Lombardo's [Executive Order 2026-003](#) issued August 17, 2026.

This meeting will be scheduled for October 9, 2026, at 10:00 a.m. All attorneys, public employers, labor representatives, and other interested parties are encouraged to participate in this important initiative. If you are unable to attend, please submit any written comments on any part of NAC 288 that you believe should be streamlined, clarified, amended, or removed.

Your comments and recommendations shared during this meeting will be compiled into a formal report and submitted to Governor Lombardo.

District Court Reverses EMRB on Promotion Management Rights

Key Ruling on NRS 288.150(3) Heads to Nevada Supreme Court

The Nevada Service Employees Union (Local 1107) and the Southern Nevada Health District (SNHD) are parties to collective bargaining agreements covering both general and supervisory employees. During the term of these agreements, Local 1107 requested various documents and information from SNHD in connection with a disciplinary grievance and a separate promotion grievance. SNHD declined to provide the requested materials, stating that disclosures were not required under the agreements and that promotions fall under management rights. Local 1107 then filed a Petition for Declaratory Order with the EMRB, seeking clarification on whether SNHD had a duty to disclose information during grievance processing and whether such refusals constituted prohibited unilateral changes.

On November 21, 2024, the EMRB issued its decision, [Item No. 903](#), concluding that SNHD was not required to provide the requested disciplinary or promotional information under the applicable statutes, prior Board precedent, or the CBA. Local 1107 subsequently filed a [Petition for Judicial Review](#) challenging those determinations.

The District Court **affirmed** the EMRB's ruling that SNHD was not required to disclose disciplinary-grievance information, finding the Board properly applied the *Douglas County Prof Education Association, et al. v. Douglas County School District* ([Item 755A](#)) balancing test, but **reversed** the Board's conclusion that promotions are a management right under NRS 288.150(3), holding that promotions significantly affect working conditions and may be a mandatory subject of bargaining.

The matter is now before the [Nevada Supreme Court \(Case No. 92683\)](#). Opening briefs are due from the parties by **October 13, 2026**, and interested stakeholders may file **amicus briefs under NRAP 29**.

A copy of the District Court's order is available from the EMRB at emrb@emrb.nv.gov or by calling us at **(702) 486-4105**.

EMRB Online: Hidden Gems *"Your monthly peek at the EMRB website's hidden treasures"*

How do I? - Frequently Asked Questions

This Month's Highlight: Frequently Asked Questions

A core commitment of the Government Employee-Management Relations Board (EMRB) is to provide local governments, the State of Nevada, and their employees with clear information to help navigate the sometimes complex process of filing an unfair labor practice complaint, a duty of fair representation

claim, a petition for declaratory order, or other petitions. Just like court filings, these matters follow specific procedures and deadlines that apply to all parties—whether represented by counsel or self-represented.

We've outlined answers to the most common scenarios in our FAQs, but if you have a question that isn't addressed there or you need a breakdown of the process, please feel free to email me at mabellar@emrb.nv.gov or call **702-486-6157**. We're always happy to help.

 To explore our FAQs and learn more about the EMRB, please visit <https://emrb.nv.gov>.

We're always looking for ways to share information that's helpful to attorneys, local governments, and public employees covered by collective bargaining agreements. And as always, we'd love to hear your comments or suggestions.

On the Horizon

At the time of publication, the Board held a meeting on September 22, 2026. In case you missed it, a copy of the agenda can be found [here](#). **Prior Board meeting minutes can also be found on our website.**

We welcome the public to our meetings, in person or online, even if you are not attending for a particular matter.

NEXT BOARD MEETING: SEPTEMBER 29-30, 2026 (26-15)

On **September 29-30, 2026**, **Panel A** will hear **Case 2024-019 Clark County Prosecutors Association v. Clark County**. The Clark County Prosecutors Association ("CCPA") has alleged that Clark County failed to bargain in good faith, attempted to interfere with the administration of the CCPA, and interference with the rights of an employee to engage in protected activity under the EMRA. They further alleged that the County's overall approach—across multiple bargaining cycles—amounted to delaying negotiations, limiting meaningful progress, and creating pressure on the union during key timelines. CCPA says certain proposals and scheduling decisions made it harder for employees to exercise their rights under state law and ultimately slowed or complicated the negotiation process. Clark County's position is that it followed all required negotiation steps, complied with the state's impasse procedures, and made proposals that were lawful and consistent with prior EMRB guidance. The County says it participated in bargaining in good faith, even when the parties disagreed on wages, contract timelines, or proposed changes to benefits.

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. There are currently no cases in the queue.

The following cases are scheduled for a hearing:

November 19-20, 2026 (Panel B) – IN PERSON (RED ROCK ROOM) and by Teams

Case 2026-003 **Juvenile Justice Supervisors Association v. Clark County**

November 23-24, 2026 (Panel C) – IN PERSON (NEVADA ROOM) and by Teams

Case 2026-008 **Nye County Support Staff Organization v. Nye County School District**

December 9-11, 2026 (Panel E) – IN PERSON (NEVADA ROOM) and by Teams

Case 2025-013 **Hector Villa v. Henderson Police Officers Association**

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. 915: Case 2024-015, Susan Herron v. Incline Village General Improvement District. Herron, who has worked for IVGID for more than two decades, was placed on paid administrative leave in late 2023 while the District reviewed concerns about her access to IVGID's email system during public records searches. After a lengthy investigation, IVGID found no misconduct and invited her back to work. Herron's complaint alleged she was placed on leave for political or personal reasons, specifically because she had signed or notarized local recall petitions involving two IVGID trustees.

The Board concluded that IVGID did not discriminate against Herron. The evidence showed the District did not know about her involvement with the recall petitions or her husband's contributions to the recall effort when she was placed on leave. Instead, her leave stemmed from questions about her email searches, which IVGID investigated and ultimately resolved in her favor. The Board acknowledged the District has faced organizational challenges and that Herron experienced discourteous treatment during the process but emphasized that these issues did not amount to unlawful discrimination. IVGID was found to have acted within its authority, and no further action or penalties were ordered.

Item No. 916: Case 2026-010, In the Matter of the Petition of Executive Department of the State of Nevada. The Petition sought clarification on whether certain CBA provisions become void when the Legislature does not approve required funding, and whether legislatively funded items in the 2025–2027 biennium were intended as one-time allocations not binding in future negotiations. Several employee organizations filed responses, and no hearing was requested.

In its decision, the Board concluded that the Petition primarily raised constitutional questions, specifically, whether AB 596 violates the Contract Clause of the Nevada or U.S. Constitution. Because EMRB's jurisdiction under NRS 288.110 does not include determining the constitutionality of statutes, the Board declined to issue a declaratory order. The Board further found that any remaining questions were hypothetical and dependent on the unique language and interpretation of each CBA's nonappropriation clause.

Did You Know? Weathering The Present Ground

From Gold Mines to Collective Bargaining: Nevada's Workforce Stories

From the perilous silver shafts of the [Comstock Lode](#) to the modern iteration of the public sector workforce, Nevada's labor history is a story of workers and management constantly learning how to navigate—and survive—the unique operational realities of their respective eras.

The Gold Hill and Virginia City Miners – the OG of Nevada Unions

Nevada's labor movement began not with ink and paper, but with deep-shaft mining and physical currency. In **December 1866**, underground workers took a stand against corporate mine operators by officially organizing the [Gold Hill Miners' Union](#).

Corporate owners attempted to slash wages to protect their profit margins. The miners organized around a singular, unyielding demand: **maintaining a baseline wage of \$4.00 per day**, paid out in physical gold coins. Alongside the neighboring [Virginia City Miners' Union](#), the Gold Hill organization became one of the most powerful labor entities in the American West. They demonstrated that weathering corporate pressure required a unified collective presence, establishing a cultural precedent for worker solidarity that predated Nevada's statehood labor laws by decades.

As the mining industry expanded into the 20th century, the battle shifted from direct financial compensation to physical safety and standardized working hours—subjects that remain mandatory topics of bargaining today.

The Modern Nevada Public Sector

The decentralized, often volatile labor friction of the frontier era eventually gave way to a formalized legal framework. On April 28, 1969, the state enacted the **Employee-Management Relations Act (NRS Chapter 288)**. This legislation officially created the **Government Employee-Management Relations Board (EMRB)**, moving labor disputes out of the mines and into an objective, court-like administrative setting. NRS Chapter 288 completely redefined how public employers and unions "weather the present ground," and replaced open-ended friction with a strict, closed list of 24 mandatory subjects of bargaining, balancing core employee protections with explicitly reserved management rights.

And once more, Nevada's public workforce underwent a massive transformation in 2019 following the passage of Senate Bill 135 to create 11 State Executive Department bargaining units. In 2023 Senate Bill 166 created four more supervisory bargaining units, bringing to 15 the total number of State bargaining units. This vital legal groundwork opened the door for approximately 18,000 state workers to secure collective bargaining rights, fundamentally reshaping Nevada public sector relations.

The momentum from that milestone continues right into the present day. The State of Nevada created the [Labor Relations Unit](#) within the Division of Human Resources and Management in response to the creation of the State bargaining units. Just recently, a massive block of over 3,000 state administrative and clerical workers joined the ranks, the State's 13th represented bargaining unit to head into the latest rounds of statewide contract talks. Furthermore, while state agencies and labor representatives are in the current [2025–2027 Collective Bargaining Agreements](#), they are also simultaneously preparing for the next major legislative bargaining cycle, proving that the heart of public service is a continuous, collaborative effort.

Building the Future of Public Service Together

Modern labor history isn't just written in textbooks; it is built through the daily partnerships that keep Nevada running.

Ultimately, the vibrant community spectacles and the quiet stewardship of Nevada's vast interior are more than just essential public services—they are the foundational drivers of the state's economic resilience. When public sector workers seamlessly manage the logistical demands of massive cultural events like the [Great Reno Balloon Race](#), they protect and power a tourism sector that infuses millions of dollars into local businesses, hotels, and restaurants. Simultaneously, the unsung efforts of remote field workers who manage scarce water allocations, monitor public lands, and sustain rural infrastructure, provide the predictability and stability that Nevada's agricultural, mining, and energy industries require. **Nevada's public sector operates as a vital and essential support for private sector growth, transforming infrastructure investment into a tangible, long-term economic competitive advantage for the entire Silver State to benefit all Nevadans.**

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.