



Government Employee- Management Relations Board

Nevada Department of Business and Industry

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December 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, Esq., Commissioner

Marisu Romualdez Abellar,

Board Secretary

Cathy Zamora, Administrative Assistant

On the Horizon

The first meeting of the Board for 2025 will take place Tuesday, January 14, 2025, through Thursday, January 16, 2025. The meeting, which will begin at 8:15 a.m. each day, will be held in the Carl Dodge Conference Room on Tuesday. The meeting on Wednesday and Thursday will be held in the Tahoe Room. The meeting will also be held virtually via TEAMS.

Tuesday morning the Board will interview the five finalists for the Executive Assistant/Board Secretary position and then later that day deliberate and decide on a candidate. Also on Tuesday, the Board will be reviewing a joint status report, decide on the granting of a hearing for a case and deliberate on three motions to dismiss. The first motion to dismiss is on Case 2024-034; Clark County Education Association v. Clark County School District. The second and third motions to dismiss are for Case 2024-035, Ashley DeSouza v. Clark County Education Association & Clark County School District, with each Respondent having filed its own motion to dismiss.

Panel A will conduct a hearing the final two days of the meeting for Case 2024-013, Las Vegas Police Managers and Supervisors Association v. Las Vegas Metropolitan Police Department. The employee organization accuses LVMPD of a unilateral change by making the first instance of an unintentional discharge of a firearm punishable by a written reprimand instead of via a contact report. LVMPD denies that it made a unilateral change.

Board Set to Appoint New Board Secretary

The Board is set to interview on January 14th the five finalists for the Executive Assistant/Board Secretary position. The application period recently closed and the EMRB received a whopping 84 applications for the position, which was last filled in 2014.

At a prior meeting, the Board appointed Vice-Chair Michael J. Smith, Commissioner Snyder and current Board Secretary Abellar as a screening committee. The three of them recently narrowed the field to 10 semifinalists, each of whom is to be interviewed between now and January 6th. The three of them will then further narrow the field to the five finalists, who will be presented to the Board on January 14th.

The vacancy in the position was necessitated by the Board in October, promoting Ms. Abellar to the position of Commissioner. Both Ms. Abellar and the new Board Secretary will take office on Monday, March 3, 2025, shortly after Commissioner Snyder retires on Friday, February 28, 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.

The office will be closed on October 25th for Nevada Day and on November 11th for Veterans Day.

Annual Reports Past Due

Every local government and employee organization, as well as the State and each labor organization, must annually file a report with the EMRB each November. So far all but five of the governments, labor organizations and employee organizations have filed their annual reports. To these we say thank you! We are currently contacting via e-mail and phone all entities who have yet to file. So, if you are the official contact person for an entity listed below which has yet to file, please do so as soon as possible. As always, each labor organization and employee organization will need to file with the EMRB a copy of any new or updated collective bargaining agreement.

Once all the information has been received, we will then upload the new information and copies of the collective bargaining agreements to our website. Two years ago, we still had 34 entities who had not yet filed while that number was only six last year.

Outstanding Governments

Humboldt General Hospital

Topaz Ranch Estates General Improvement District

Outstanding Employee Organizations

Pershing County Law Enforcement Association

Reno Police Protective Association

Winnemucca 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. They also may be found on our website.

Item #903; Case 2024-009; Nevada Service Employees Union v. Southern Nevada Health District. NSEU filed a petition for declaratory order, seeking answers as to what requests for information needed to be provided by the employer. The Board applied the balancing test in Douglas County Professional Education Association et al. v. Douglas County School District. Thus, with respect to the request for information related to promotions, the Board found that promotions are a management right and not a subject of mandatory bargaining and thus the information did not need to be provided. With respect to information related to grievances, the Board found that the information sought, including witness names and statements, did not need to be disclosed in that the ability to conduct an investigation could be hampered if witnesses believed that their statements were not confidential and that there might be a distinct danger that witnesses could be harassed or retaliated against.

Item #904; Case 2024-014; Clark County Defenders Union v. Clark County and Counterclaim of Clark County v. Clark County Defenders Union. Both sides had accused the other of bad faith bargaining. In its decision, the Board found that Clark County did not engage in surface bargaining nor did it engage in regressive bargaining, such as to frustrate the bargaining process. The Board, however, found that Clark County failed to furnish the requested information without delay. Additionally, the Board found that once impasse had been declared by CCDU, that Clark County significantly delayed the mediation process without good cause.

With respect to the counterclaims the Board found that CCDU also had not engaged in surface bargaining. The Board did, however, opine that a lack of ground rules may have been a contributing factor to both parties feeling there had been surface bargaining. The Board did find that CCDU rushed to impasse, noting that there were a significant number of articles presented by both parties at the final meeting.

The Board then ordered Clark County to post a copy of the order where commission notices are posted; for CCDU to post a copy of the order where the public defenders work; for Clark County to forward a copy of the order to each of the Commissioner and for CCDU to do the same for each of its members. Moreover, Clark County was required to forward a copy of the order to the fact-finder and provide proof of the same to the EMRB.

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:

January 15-16, 2025; In-Person in Las Vegas and via TEAMS

Case 2024-013; Las Vegas Police Managers & Supervisors Association v. Las Vegas Metropolitan Police Department

January 30-31, 2025; In-Person in Las Vegas and via TEAMS (motion practice before hearing)

Consolidated Case 2024-029 (with 2023-020); Clark County Education Association v. Clark County School District

February 11 & 13, 2025; In-Person in Las Vegas and via TEAMS

Case 2024-027; Teamsters Local 14 v. City of North Las Vegas

February 12, 2025; In-Person in Las Vegas and via TEAMS

Case 2024-016; In re: Petition for Declaratory Order of Clark County

March 4-6, 2025; In-Person in Las Vegas and via TEAMS

Case 2024-022; Shelia Leijon v. Incline Village General Improvement District

March 13-14, 2025; In-Person in Las Vegas and via TEAMS

Case 2024-018; Las Vegas Police Managers and Supervisors Association v. Las Vegas Metropolitan Police Department

March 31-April 2, 2025; In-Person in Las Vegas and via TEAMS

Consolidated Case 2024-029 (with 2023-020); Clark County Education Association v. Clark County School District

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

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

Caseload in Review

As calendar year 2024 nears its end, a total of 41 cases have been filed this year. This compares to 36 for calendar year 2023 and only 19 for calendar year 2022. The highest total in the past decade was 43 cases. There are currently 34 cases on the docket, of which eight have been placed on hold due to the limited deferral doctrine.

Office Closures

The office will be closed on Wednesday, December 25th for Christmas; on Wednesday, January 1st for New Year's Day; and on Monday, January 20th for the Martin Luther King, Jr. holiday. Even though we will be closed, any filings submitted on those days will be date-stamped the day a pleading hits our inbox.

Lists of Neutrals

We recently updated our lists of arbitrators, mediators and fact-finders. You will find the link to the three lists on the bottom right of our home page. There you can research their resumes, fee schedules and other information. Next time you need a neutral please use this as a resource in addition to FMCS or AAA. Check it out!

"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.