



Government Employee- Management Relations Board

Nevada Department of Business and Industry

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December 2021

Members of the Board

Brent C. Eckersley, Esq., Chair
Sandra Masters, Vice-Chair
Gary Cottino, Board Member
Brett K. Harris, Esq., Board Member
Michael J. Smith, Board Member

Staff

Bruce K. Snyder, Commissioner
Marisu Romualdez Abellar,
Board Secretary

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 about 90% of the governments and 80% of the labor 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 who has yet to file, please do so as soon as possible. After December 21st we will intensify our efforts. For example, for each employee organization not filing by that date we will begin contacting the corresponding local government, notifying it that an employee organization representing its employees is out of compliance. We will also be sending written notices as well as publishing the names of entities not having yet filed in the next edition of this e-newsletter.

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. Also, in the past the EMRB has required the sending of any updates to any constitution or by-laws for such entities. This year, to ensure we have full copies, we are requesting all labor organizations and employee organizations to send us a full and complete copy of their constitution and/or by-laws.

Again, to those entities having already filed, we thank you very much! Once all the information has been received, we will then upload the new information and copies of the collective bargaining agreements to our website.

Board Members Continuing in Office

The Board consists of five members appointed by the Governor for four-year terms. Due to the increase in the size of the Board from three members to five members back in 2017, along with two resignations since then, it just happens that four of the five Board members had terms ending June 30th of this year. These include Chair Brent C. Eckersley, Vice-Chair Sandra Masters, Board Member Gary Cottino and Board Member Michael J. Smith. Board Member Brett K. Harris' terms ends next year.

State law, though, provides that members may continue to serve on a board until such time as a successor has been appointed to fill the expired term. We hope to hear soon as to whether the existing Board members have been reappointed or whether there will be one or more successors appointed.

Inside This Issue

- 1 **Annual Reports Past Due**
- 1 **Board Members Continuing in Office**
- 2 **Additional Sections from Our Strategic Plan**
- 3 **In the Queue**
- 3 **On the Horizon**
- 3 **Reminder About Useful Resources**
- 3 **Office Closures**

List of Panels

Panel A Eckersley, Masters, Harris
Panel B Masters, Harris, Smith
Panel C Cottino, Harris, Smith
Panel D Eckersley, Cottino, Smith
Panel E Eckersley, Masters, Cottino

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

Additional Sections from Our Strategic Plan

The EMRB is currently in the process of updating its strategic plan. Last month we presented to you our core values. These were the “Bee” statements. This month we present additional sections of our strategic plans.

Mission Statement

A Mission Statement is a declaration of an organization's purpose and focus that normally remains unchanged over time. For those of you who remember the 1960's hit television show, *Mission Impossible*, you will remember these famous words at the beginning of each episode: “Your mission, Jim, should you decide to accept it, is...

Our Mission Statement . . . The Government Employee-Management Relations Board 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.

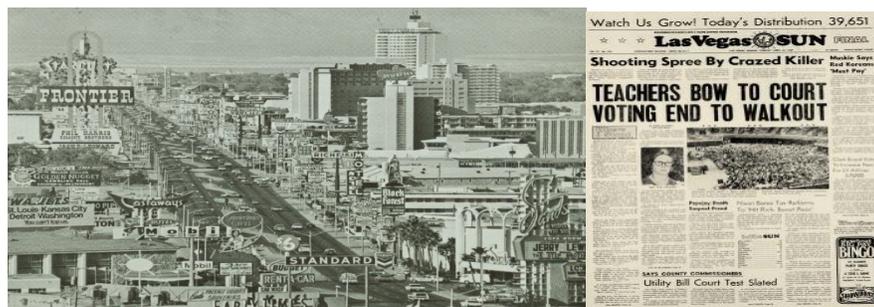
Vision Statement

Vision Statement is a brief, bold, broad statement of the agency's ideal future. For example, Disney's vision statement is “To make people happy.”

Our Vision Statement . . . Providing an environment in which Nevada's governments and their employees peacefully resolve their disputes through the rule of law.

Our History

In the spring of 1969 teachers working for the Clark County School District made a concerted effort to picket the Las Vegas Strip for better wages and working conditions. Some believed this was not good for the image of Las Vegas. This in turn led to Senator Dodge proposing a solution, which was to allow local government employees to collectively bargain with their local government employers. These are pictures of the Strip and a newspaper from 1969.



Timeline of EMRB History –

- 1969 Employee-Management Relations Act enacted into law; agency begins. Agency staffed solely by a Board Secretary.
- 1975 Bargaining over wages, hours, and conditions of employment eliminated. Bargaining now restricted to a “laundry list” of certain subjects.
- 1979 Position of Commissioner created.
- 1993 Nevada Supreme Court decision affirming the “significantly related” test. Any subject significantly related to a subject in the “laundry list” is also a subject of mandatory bargaining.
- 2009 Agency becomes self-funded through the imposition of an annual fee imposed on local governments.
- 2015 Documents may now be electronically filed instead of mailed or hand-delivered. The following year allows for the electronic service of documents.
- 2017 Size of board increased from three to five members. Panels of three Board Members may now adjudicate cases, allowing for more cases to be heard.
- 2019 Collective bargaining extended to classified State Executive Branch employees.

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 is one case scheduled for a hearing:

January 13, 2022, via WebEx

None.

February 8-10, 2022, In-Person in Las Vegas with videoconferencing to Carson City

None yet assigned.

March 8-10, 2022, via WebEx

2021-009, AFSCME, Local 4041 v. State of Nevada et al.

No other cases are waiting in the queue for a hearing date.

On the Horizon

The next Board meeting will be January 13, 2022. This meeting will be held virtually using WebEx. At that time the full Board will deliberate on a motion to dismiss in Case 2021-016, International Union of Operating Engineers, Local 501 v. University Medical Center of Southern Nevada. The Board will also review joint status reports filed by the parties on ten cases that have been stayed pursuant to the limited deferral doctrine. Additionally, the Board will set its agenda for the second quarter of calendar year 2022 and vote on a stipulation to dismiss in a case.

Reminder About Useful Resources

The EMRB maintains on its website a list of individuals who are willing to serve as an arbitrator, mediator or fact-finder. Although many governments use the services of the Federal Mediation and Conciliation Service (FMCS) or the American Arbitration Association (AAA), there are certain instances in which a local government must apply for and receive a list specifically from the EMRB. Also, the EMRB keeps current copies of all collective bargaining agreements on our website. Check out all these resources next time you visit emrb.nv.gov.

Additionally, the EMRB has all its decisions from its inception in 1969 through September 2019 on the Nevada Library on CD, published by the Legislative Counsel Bureau. This product, used by many law firms and governments, is searchable in many ways and is relatively inexpensive to purchase.

Office Closures

The office will be closed on Friday, December 24th in observance of Christmas and on Friday, December 31st in observance of New Year's Day. We wish you and your loved ones the very best over the upcoming holidays!

"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.