
ASSEMBLY BILL NO. 11—COMMITTEE ON GOVERNMENT AFFAIRS

PREFILED JANUARY 7, 1999

Referred to Committee on Government Affairs

SUMMARY—Expands mandatory subject of bargaining relating to policies for transfer and reassignment of teachers to include all employees of school districts. (BDR 23-110)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~to be omitted~~ is material to be omitted.

AN ACT relating to public employment; expanding the mandatory subject of bargaining relating to policies for the transfer and reassignment of teachers to include all employees of school districts; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 288.150 is hereby amended to read as follows:
2 288.150 1. Except as *otherwise* provided in subsection 4, every local
3 government employer shall negotiate in good faith through one or more
4 representatives of its own choosing concerning the mandatory subjects of
5 bargaining set forth in subsection 2 with the designated representatives of
6 the recognized employee organization, if any, for each appropriate
7 bargaining unit among its employees. If either party so requests,
8 agreements reached must be reduced to writing.
9 2. The scope of mandatory bargaining is limited to:
10 (a) Salary or wage rates or other forms of direct monetary compensation.
11 (b) Sick leave.
12 (c) Vacation leave.
13 (d) Holidays.
14 (e) Other paid or nonpaid leaves of absence.
15 (f) Insurance benefits.
16 (g) Total hours of work required of an employee on each workday or
17 work week.

- 1 (h) Total number of days' work required of an employee in a work year.
- 2 (i) Discharge and disciplinary procedures.
- 3 (j) Recognition clause.
- 4 (k) The method used to classify employees in the bargaining unit.
- 5 (l) Deduction of dues for the recognized employee organization.
- 6 (m) Protection of employees in the bargaining unit from discrimination
- 7 because of participation in recognized employee organizations consistent
- 8 with the provisions of this chapter.
- 9 (n) No-strike provisions consistent with the provisions of this chapter.
- 10 (o) Grievance and arbitration procedures for resolution of disputes
- 11 relating to interpretation or application of collective bargaining agreements.
- 12 (p) General savings clauses.
- 13 (q) Duration of collective bargaining agreements.
- 14 (r) Safety of the employee.
- 15 (s) Teacher preparation time.
- 16 (t) Materials and supplies for classrooms.
- 17 (u) The policies for the transfer and reassignment of ~~teachers~~ **persons**
- 18 ***employed by a school district pursuant to NRS 391.100.***
- 19 (v) Procedures for reduction in work force.
- 20 3. Those subject matters which are not within the scope of mandatory
- 21 bargaining and which are reserved to the local government employer
- 22 without negotiation include:
- 23 (a) Except as otherwise provided in paragraph (u) of subsection 2, the
- 24 right to hire, direct, assign or transfer an employee, but excluding the right
- 25 to assign or transfer an employee as a form of discipline.
- 26 (b) The right to reduce in force or lay off any employee because of lack
- 27 of work or lack of money, subject to paragraph (v) of subsection 2.
- 28 (c) The right to determine:
- 29 (1) Appropriate staffing levels and work performance standards,
- 30 except for safety considerations;
- 31 (2) The content of the workday, including , without limitation , work
- 32 load factors, except for safety considerations;
- 33 (3) The quality and quantity of services to be offered to the public;
- 34 and
- 35 (4) The means and methods of offering those services.
- 36 (d) Safety of the public.
- 37 4. Notwithstanding the provisions of any collective bargaining
- 38 agreement negotiated pursuant to this chapter, a local government employer
- 39 is entitled to take whatever actions may be necessary to carry out its
- 40 responsibilities in situations of emergency such as a riot, military action,
- 41 natural disaster or civil disorder. Those actions may include the suspension
- 42 of any collective bargaining agreement for the duration of the emergency.

1 Any action taken ~~{under}~~ *pursuant to* the provisions of this subsection must
2 not be construed as a failure to negotiate in good faith.

3 5. The provisions of this chapter, including , without limitation , the
4 provisions of this section, recognize and declare the ultimate right and
5 responsibility of the local government employer to manage its operation in
6 the most efficient manner consistent with the best interests of all its
7 citizens, its taxpayers and its employees.

8 6. This section does not preclude, but this chapter does not require the
9 local government employer to negotiate subject matters enumerated in
10 subsection 3 which are outside the scope of mandatory bargaining. The
11 local government employer shall discuss subject matters outside the scope
12 of mandatory bargaining , but it is not required to negotiate those matters.

13 7. Contract provisions presently existing in signed and ratified
14 agreements as of May 15, 1975, at 12 p.m. remain negotiable.

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