

ASSEMBLY BILL NO. 13—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE LOCAL GOVERNMENT
EMPLOYEE-MANAGEMENT RELATIONS BOARD)

PREFILED DECEMBER 19, 2012

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to hearings conducted by the Local Government Employee-Management Relations Board. (BDR 23-353)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to relations between governments and public employees; revising provisions governing the period during which the Local Government Employee-Management Relations Board is required to conduct certain hearings; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Chapter 288 of NRS, the Local Government Employee-Management Relations
2 Act, creates the Local Government Employee-Management Relations Board. (NRS
3 288.080) In carrying out its duties under the Act, the Board is authorized to hear
4 and determine complaints arising out of the interpretation of, or performance under,
5 the Act by any local government employer, local government employee or
6 employee organization. Existing law requires the Board to conduct a hearing within
7 90 days after the Board decides to hear a complaint. (NRS 288.110) This bill
8 requires the Board to conduct such a hearing within 180 days after the Board
9 decides to hear a complaint.

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

1 **Section 1.** NRS 288.110 is hereby amended to read as follows:
2 288.110 1. The Board may make rules governing:



* A B 1 3 R 1 *

- (a) Proceedings before it;
- (b) Procedures for fact-finding;
- (c) The recognition of employee organizations; and
- (d) The determination of bargaining units.

2. The Board may hear and determine any complaint arising out of the interpretation of, or performance under, the provisions of this chapter by any local government employer, local government employee or employee organization. The Board shall conduct a hearing within ~~190~~ 180 days after it decides to hear a complaint. The Board, after a hearing, if it finds that the complaint is well taken, may order any person to refrain from the action complained of or to restore to the party aggrieved any benefit of which the party has been deprived by that action. The Board shall issue its decision within 120 days after the hearing on the complaint is completed.

3. Any party aggrieved by the failure of any person to obey an order of the Board issued pursuant to subsection 2, or the Board at the request of such a party, may apply to a court of competent jurisdiction for a prohibitory or mandatory injunction to enforce the order.

4. The Board may not consider any complaint or appeal filed more than 6 months after the occurrence which is the subject of the complaint or appeal.

5. The Board may decide without a hearing a contested matter:

(a) In which all of the legal issues have been previously decided by the Board, if it adopts its previous decision or decisions as precedent; or

(b) Upon agreement of all the parties.

6. The Board may award reasonable costs, which may include attorneys' fees, to the prevailing party.

Sec. 2. This act becomes effective upon passage and approval.

