

Amendment No. 540

Senate Amendment to Senate Bill No. 459	(BDR 23-536)
<b>Proposed by:</b> Senate Committee on Government Affairs	
<b>Amendment Box:</b> Replaces Amendment No. 264.	
<b>Amends:</b> Summary: No   Title: Yes   Preamble: No   Joint Sponsorship: No   Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

SJQ/AAK



Date: 4/20/2019

S.B. No. 459—Provides for collective bargaining by certain state employees.  
(BDR 23-536)





## SENATE BILL NO. 459—COMMITTEE ON GOVERNMENT AFFAIRS

MARCH 25, 2019

Referred to Committee on Government Affairs

SUMMARY—Provides for collective bargaining by certain state employees.  
(BDR 23-536)

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

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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 state employees; authorizing collective bargaining for certain state employees; renaming and expanding the duties of the Local Government Employee-Management Relations Board; providing for the recognition of ~~employee~~ *professional* organizations; providing for the establishment of bargaining units and the designation of bargaining agents; establishing procedures for collective bargaining and for making collective bargaining agreements; prohibiting certain unfair labor practices; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Title 23 of NRS governs public employment. This bill authorizes collective bargaining between the State and certain state employees. **Section 17** of this bill defines the term “employee” for the purposes of this bill to mean a person who is employed by the Executive Department of State Government. **Section 17** excludes from this definition, among others, classified employees and, with certain exceptions, unclassified employees.

**Sections 1, 48 and 49** of this bill expand the powers and duties of the Local Government Employee-Management Relations Board to include hearing and deciding disputes between the State and certain state employees. **Section 47** of this bill changes the name of the Local Government Employee-Management Relations Board to the Government Employee-Management Relations Board to conform to this change in duties.

Existing law requires the Local Government Employee-Management Relations Board annually to assess a fee for the support of the Board against each local government employer. (NRS 288.105) **Section 22** of this bill additionally requires the newly created Government Employee-Management Relations Board annually to assess a similar fee against each entity of the Executive Department.

**Section 23** of this bill authorizes certain state employees to organize and form ~~employee~~ *professional* organizations or refrain from engaging in that activity. **Section 24** of this bill requires the Executive Department to engage in collective bargaining with the recognized ~~employee~~ *professional* organization, if any, for each bargaining unit, if any, among its employees and sets forth the subject matters within the scope of such collective bargaining. **Sections 24.3 and 24.7 of this bill set forth certain provisions which are required to be included in a collective bargaining agreement.** **Section 25** of this bill provides for the recognition of ~~an employee~~ *a professional* organization by the Executive Department and sets forth the conditions under which the Executive Department is authorized to withdraw that

recognition. **Sections 26-28** of this bill establish procedures for elections ordered by the Board to determine membership support for ~~[an employee]~~ **a professional** organization or designate a bargaining agent. **Section 31** of this bill provides for the creation and organization of bargaining units.

**Sections 29 and 30** of this bill require the Executive Department and each recognized ~~[employee]~~ **professional** organization to file certain reports with the Board annually. **Section 32** of this bill establishes certain rights of ~~[employee]~~ **professional** organizations.

~~[Section]~~ **Sections 24.7, 32.5 and 33** of this bill ~~[sets]~~ **set** forth certain time frames in which the Executive Department and ~~[an employee]~~ **a professional** organization are required to engage in collective bargaining. **Sections [34 and 36-39] 39.3-39.8** of this bill provide for mediation and ~~[fact-finding]~~ **arbitration** in the event of a dispute between the Executive Department and ~~[an employee]~~ **a professional** organization. **Sections 41 and 50** of this bill provide that certain meetings convened for the purpose of collective bargaining and resolving disputes relating to collective bargaining are exempt for the provisions of existing law requiring open and public meeting of public bodies. **Section 42** of this bill prohibits certain unfair labor practices in the context of collective bargaining. **Sections 4-11, 45 and 56** of this bill reorganize certain definitions in chapter 288 of NRS to conform to changes made in this bill.

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

**Section 1.** NRS 281.755 is hereby amended to read as follows:

281.755 1. Except as otherwise provided in subsections 2 and 5, a public body shall provide an employee who is the mother of a child under 1 year of age with:

(a) Reasonable break time, with or without compensation, for the employee to express breast milk as needed; and

(b) A place, other than a bathroom, that is reasonably free from dirt or pollution, protected from the view of others and free from intrusion by others where the employee may express breast milk.

2. If the public body determines that complying with the provisions of subsection 1 will cause an undue hardship considering the size, financial resources, nature and structure of the public body, the public body may meet with the employee to agree upon a reasonable alternative. If the parties are not able to reach an agreement, the public body may require the employee to accept a reasonable alternative selected by the public body and the employee may appeal the decision by filing a complaint in the manner set forth in subsection 4.

3. An officer or agent of a public body shall not retaliate, or direct or encourage another person to retaliate, against an employee of the public body because the employee has:

(a) Taken break time or used the space provided pursuant to subsection 1 or 2 to express breast milk; or

(b) Taken any action to require the public body to comply with the requirements of this section, including, without limitation, filing a complaint, testifying, assisting or participating in any manner in an investigation, proceeding or hearing to enforce the provisions of this section.

4. An employee who is aggrieved by the failure of a public body to comply with the provisions of this section may:

(a) If the employee is employed by the Executive Department of State Government and is not an employee of an entity described in NRS 284.013 ~~and~~

1 *is not an employee in a bargaining unit pursuant to sections 12 to 43, inclusive,*  
2 *of this act,* file a complaint with the Employee-Management Committee in  
3 accordance with the procedures provided pursuant to NRS 284.384;

4 (b) If the employee is employed by the Legislative Department of State  
5 Government, file a complaint with the Director of the Legislative Counsel Bureau;

6 (c) If the employee is employed by the Judicial Department of State  
7 Government, file a complaint with the Court Administrator; and

8 (d) If the employee is employed by a political subdivision of this State or any  
9 public or quasi-public corporation organized under the laws of this State ~~or~~ *if the*  
10 *employee is employed by the Executive Department of State Government and is*  
11 *an employee in a bargaining unit pursuant to sections 12 to 43, inclusive, of this*  
12 *act,* file a complaint with the ~~Local~~ Government Employee-Management  
13 Relations Board in the manner set forth in NRS 288.115.

14 5. The requirements of this section do not apply to the Department of  
15 Corrections. The Department is encouraged to comply with the provisions of this  
16 section to the extent practicable.

17 6. As used in this section, "public body" means:

18 (a) The State of Nevada, or any agency, instrumentality or corporation thereof;

19 (b) The Nevada System of Higher Education; or

20 (c) Any political subdivision of this State or any public or quasi-public  
21 corporation organized under the laws of this State, including, without limitation,  
22 counties, cities, unincorporated towns, school districts, charter schools, hospital  
23 districts, irrigation districts and other special districts.

24 **Sec. 2.** NRS 284.013 is hereby amended to read as follows:

25 284.013 1. Except as otherwise provided in subsection 4, this chapter does  
26 not apply to:

27 (a) Agencies, bureaus, commissions, officers or personnel in the Legislative  
28 Department or the Judicial Department of State Government, including the  
29 Commission on Judicial Discipline;

30 (b) Any person who is employed by a board, commission, committee or  
31 council created in chapters 445C, 590, 623 to 625A, inclusive, 628, 630 to 644A,  
32 inclusive, 648, 652, 654 and 656 of NRS; or

33 (c) Officers or employees of any agency of the Executive Department of the  
34 State Government who are exempted by specific statute.

35 2. Except as otherwise provided in subsection 3, the terms and conditions of  
36 employment of all persons referred to in subsection 1, including salaries not  
37 prescribed by law and leaves of absence, including, without limitation, annual leave  
38 and sick and disability leave, must be fixed by the appointing or employing  
39 authority within the limits of legislative appropriations or authorizations.

40 3. Except as otherwise provided in this subsection, leaves of absence  
41 prescribed pursuant to subsection 2 must not be of lesser duration than those  
42 provided for other state officers and employees pursuant to the provisions of this  
43 chapter. The provisions of this subsection do not govern the Legislative  
44 Commission with respect to the personnel of the Legislative Counsel Bureau.

45 4. Any board, commission, committee or council created in chapters 445C,  
46 590, 623 to 625A, inclusive, 628, 630 to 644A, inclusive, 648, 652, 654 and 656 of  
47 NRS which contracts for the services of a person, shall require the contract for  
48 those services to be in writing. The contract must be approved by the State Board of  
49 Examiners before those services may be provided.

50 5. *To the extent that they are inconsistent or otherwise in conflict, the*  
51 *provisions of this chapter do not apply to any terms and conditions of*  
52 *employment that are properly within the scope of and subject to the provisions of*

1 *a collective bargaining agreement that is enforceable pursuant to the provisions*  
2 *of sections 12 to 43, inclusive, of this act.*

3 Sec. 2.5. Chapter 287 of NRS is hereby amended by adding thereto a  
4 new section to read as follows:

5 *To the extent that they are inconsistent or otherwise in conflict, the provisions*  
6 *of this chapter do not apply to any terms and conditions of employment that are*  
7 *properly within the scope of and subject to the provisions of a collective*  
8 *bargaining agreement that is enforceable pursuant to the provisions of sections*  
9 *12 to 43, inclusive, of this act.*

10 Sec. 3. Chapter 288 of NRS is hereby amended by adding thereto the  
11 provisions set forth as sections 4 to 43, inclusive, of this act.

12 Sec. 4. *As used in this chapter, unless the context otherwise requires, the*  
13 *words and terms defined in NRS 288.040, 288.050, 288.060 and sections 5 to 11,*  
14 *inclusive, of this act have the meanings ascribed to them in those sections.*

15 Sec. 5. “Board” means the Government Employee-Management Relations  
16 Board created by NRS 288.080.

17 Sec. 6. “Collective bargaining” means a method of determining conditions  
18 of employment by negotiation between representatives of the Executive  
19 Department or a local government employer and an employee organization ~~or~~ or  
20 professional organization, entailing a mutual obligation of the Executive  
21 Department or local government employer, as applicable, and the representative  
22 of the state or local government employees to meet at reasonable times and  
23 bargain in good faith with respect to:

24 1. ~~Wages,~~ Salaries, wages, hours and other terms and conditions of  
25 employment;

26 2. The negotiation of an agreement;

27 3. The resolution of any question arising under a negotiated agreement; or

28 4. The execution of a written contract incorporating any agreement reached  
29 if requested by either party,

30 *but this obligation does not compel either party to agree to a proposal or*  
31 *require the making of a concession.*

32 Sec. 7. “Commissioner” means the Commissioner appointed by the Board  
33 pursuant to NRS 288.090.

34 Sec. 8. “Executive Department” means an agency, board, bureau,  
35 commission, department, division, elected officer or any other unit of the  
36 Executive Department of State Government. The term includes the Nevada  
37 System of Higher Education and any university, state college, community college  
38 or institute within the Nevada System of Higher Education.

39 Sec. 9. “Fact-finding” means the formal procedure by which an  
40 investigation of a labor dispute is conducted by a person at which:

41 1. Evidence is presented; and

42 2. A written report is issued by the fact finder describing the issues involved  
43 and setting forth recommendations for settlement which may or may not be  
44 binding as provided in NRS 288.200. ~~for section 36 of this act.~~

45 Sec. 10. “Mediation” means assistance by an impartial third party to  
46 reconcile differences between the Executive Department or a local government  
47 employer and a bargaining agent through interpretation, suggestion and advice.

48 Sec. 10.5. “Professional organization” means an organization of any kind  
49 having as one of its purposes improvement of the terms and conditions of  
50 employees as defined in section 17 of this act.

51 Sec. 11. “Strike” means any concerted:

52 1. Stoppage of work, slowdown or interruption of operations by employees  
53 of the State of Nevada or local government employees;

2. Absence from work by employees of the State of Nevada or local government employees upon any pretext or excuse, such as illness, which is not founded in fact; or

3. Interruption of the operations of the State of Nevada or any local government employer by any employee organization ~~or~~ or professional organization.

Sec. 12. As used in sections 12 to 43, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 13 to 20, inclusive, of this act have the meanings ascribed to them in those sections.

Sec. 13. "Arbitration" means a process of dispute resolution where the parties involved in an impasse or grievance dispute submit their dispute to a third party for a final and binding decision.

Sec. 14. "Bargaining agent" means ~~an employee~~ a professional organization recognized by the Executive Department or designated by the Board as the exclusive representative of all employees in the bargaining unit for purposes of collective bargaining.

Sec. 15. "Bargaining unit" means a group of employees recognized by the Executive Department as having sufficient community of interest appropriate for representation by ~~an employee~~ a professional organization for the purpose of collective bargaining.

Sec. 16. "Confidential employee" means an employee who provides administrative support to an employee who assists in the formulation, determination and effectuation of personnel policies or managerial policies concerning collective bargaining.

Sec. 17. 1. "Employee" means a person who is employed by the Executive Department.

2. The term does not include:

(a) A local government employee;

(b) A person who is employed in the classified service of the State pursuant to chapter 284 of NRS;

(c) A person who is employed by the Public Employees' Retirement System and is required to be paid in accordance with the pay plan for the classified service of the State;

(d) A person who serves at the pleasure of the Executive Department and whose employment may be terminated at any time without contractual restriction or notice;

(e) An elected official or any person appointed to fill a vacancy in an elected office;

(f) A person who is employed in neither the classified nor the unclassified service of the State pursuant to NRS 223.085;

(g) A managerial employee;

(h) A confidential employee;

(i) A temporary employee who is employed for a fixed period of ~~4 months~~ 90 calendar days or less;

(j) A commissioned officer or an enlisted member of the Nevada National Guard; or

(k) An independent contractor, as defined in NRS 286.045.

Sec. 18. "Grievance" means an act, omission or occurrence that an employee or a bargaining agent believes to be an injustice relating to any condition arising out of the relationship between an employer and an employee, including, without limitation, working hours, working conditions, membership in an organization of employees or the interpretation of any law, regulation or agreement.

1       **Sec. 19. 1. “Managerial employee” means an employee whose primary**  
2 *function is to administer and control the business of any agency, board, bureau,*  
3 *commission, department, division, elected officer or any other unit of the*  
4 *Executive Department and who is vested with discretion and independent*  
5 *judgment with regard to the general conduct and control of that agency, board,*  
6 *bureau, commission, department, division, elected officer or unit.*

7       2. The term includes, without limitation:

8       (a) *A chief administrative officer, the chief administrative officer’s deputy*  
9 *and immediate assistants, department heads, their deputies and immediate*  
10 *assistants, attorneys, appointed officials and others who are primarily responsible*  
11 *for formulating and administering management policy and programs; and*

12       (b) *Certain employees of the Nevada System of Higher Education including,*  
13 *without limitation:*

14           (1) *The Chancellor of the System, presidents, provosts and deans;*

15           (2) *Vice, associate and assistant presidents, provosts and deans; and*

16           (3) *Other employees who are primarily responsible for formulating and*  
17 *administering management policy and programs.*

18       3. *With respect to employees of the Nevada System of Higher Education, an*  
19 *employee shall not be deemed a managerial employee solely because the*  
20 *employee participates in decisions with respect to courses, curriculum, personnel*  
21 *or other matters of educational policy. A chair or head of a department or similar*  
22 *academic unit or program who performs the foregoing duties primarily on behalf*  
23 *of the members of the academic unit or program shall not be deemed a*  
24 *managerial employee solely because of those duties.*

25       **Sec. 20. “Recognition” or “recognized” means the formal acknowledgment**  
26 *by the Executive Department that a particular ~~employee~~ professional*  
27 *organization has the right to represent the employees within a particular*  
28 *bargaining unit.*

29       **Sec. 21. 1. The Legislature hereby finds and declares that there is a great**  
30 *need to:*

31       (a) *Promote orderly and constructive relations between the Executive*  
32 *Department and its employees; and*

33       (b) *Increase the efficiency of the Executive Department.*

34       2. *It is therefore within the public interest that the Legislature enact*  
35 *provisions:*

36       (a) *Granting certain state employees the right to associate with others in*  
37 *organizing and choosing representatives for the purpose of engaging in collective*  
38 *bargaining;*

39       (b) *Requiring the Executive Department to recognize ~~employee~~*  
40 *professional organizations and to negotiate salaries, wages, hours and other*  
41 *terms and conditions of employment with ~~employee~~ professional organizations*  
42 *that represent state employees and to enter into written agreements evidencing*  
43 *the result of collective bargaining; and*

44       (c) *Establishing standards and procedures that protect the rights of*  
45 *employees, the Executive Department and the people of the State.*

46       3. *The Legislature further finds and declares that:*

47       (a) *Joint decision making and consultation between administration and*  
48 *faculty or academic employees is a long-accepted manner of governing*  
49 *institutions of higher education;*

50       (b) *It is a purpose of the provisions of sections 12 to 43, inclusive, of this act*  
51 *to preserve and encourage that practice; and*

52       (c) *The provisions of sections 12 to 43, inclusive, of this act are not intended*  
53 *to restrict, limit or prohibit the full exercise of the functions of faculty in any*



1 *shared governance mechanism or practice, including, without limitation,*  
2 *procedures for resolving grievances through a mechanism or practice of shared*  
3 *governance in an academic institution,* the establishment of faculty senates and  
4 *the principle of peer review of appointment, retention and tenure for faculty in an*  
5 *institution of higher education.*

6 **Sec. 22.** 1. On or before July 1 of each year, the Board shall charge and  
7 collect a fee from the Executive Department in an amount not to exceed \$10 for  
8 each employee of the Executive Department who was employed by the Executive  
9 Department during the first pay period of the immediately preceding fiscal year.

10 2. The Executive Department shall pay the fee imposed pursuant to  
11 subsection 1 on or before July 31 of each year. The Executive Department shall  
12 not impose the fee against its employees.

13 3. If the Executive Department fails to pay the fee imposed pursuant to  
14 subsection 1 on or before July 31 of that year, the Board shall impose a civil  
15 penalty not to exceed \$10 for each employee employed by the Executive  
16 Department for whom the fee was not paid.

17 4. The Executive Department may not receive a reduction in the amount of  
18 the fee imposed pursuant to subsection 1 or a refund of that amount if an  
19 employee is not employed for a full calendar year. The fee must be imposed  
20 whether or not the employee is a member of ~~an employee~~ a professional  
21 organization.

22 5. Any money received from the fees collected pursuant to subsection 1  
23 must be accounted for separately and may be used only to carry out the duties of  
24 the Board.

25 6. To carry out the provisions of this section, the Board may verify the  
26 identity and number of employees employed by the Executive Department by any  
27 reasonable means.

28 **Sec. 23.** 1. For the purposes of collective bargaining and other mutual  
29 aid or protection, every employee has the right to:

30 (a) Organize, form, join and assist ~~employee~~ professional organizations,  
31 engage in collective bargaining through bargaining agents and engage in other  
32 concerted activities; and

33 (b) Refrain from engaging in such activity.

34 2. The recognition of ~~an employee~~ a professional organization for  
35 negotiation, pursuant to the provisions of sections 12 to 43, inclusive, of this act,  
36 does not preclude any employee who is not a member of that ~~employee~~  
37 professional organization from acting for himself or herself with respect to any  
38 condition of his or her employment, but any action taken on a request or in  
39 adjustment of a grievance must be consistent with the terms of an applicable  
40 negotiated agreement, if any.

41 3. The following persons may not be a member of a bargaining unit:

42 (a) A managerial employee.

43 (b) A confidential employee.

44 ~~[(c) A supervisory employee described in paragraph (b) of subsection 1 of~~  
45 ~~NRS 288.075, including, without limitation, appointed officials who are primarily~~  
46 ~~responsible for formulating and administering management, policy and~~  
47 ~~programs.]~~

48 **Sec. 24.** 1. The Executive Department shall negotiate in good faith  
49 through one or more representatives of its own choosing concerning the  
50 mandatory subjects of bargaining set forth in subsection 2 with the designated  
51 representatives of the recognized ~~employee~~ professional organization, if any, for  
52 each appropriate bargaining unit among its employees. If either party so  
53 requests, agreements reached must be reduced to writing.

2. *The scope of mandatory bargaining is limited to:*

(a) *Salary or wage rates or other forms of direct monetary compensation.*

(b) *Sick leave.*

(c) *Vacation leave.*

(d) *Holidays.*

(e) *Maternity or paternity leave and family medical leave.*

(f) *Other paid or nonpaid leaves of absence consistent with the provisions of sections 12 to 43, inclusive, of this act.*

(g) *Insurance and healthcare benefits.*

(h) *Total hours of work required of an employee on each workday or workweek.*

(i) *Total number of days' work required of an employee in a work year.*

(j) *Discharge and disciplinary procedures.*

(k) *Recognition clause.*

(l) *The method used to classify employees in the bargaining unit.*

(m) *Deduction of dues for the recognized ~~employee~~ professional organization.*

(n) *Protection of employees in the bargaining unit from discrimination because of participation in recognized ~~employee~~ professional organizations consistent with the provisions of sections 12 to 43, inclusive, of this act.*

(o) *No-strike provisions consistent with the provisions of sections 12 to 43, inclusive, of this act.*

(p) *Grievance and arbitration procedures for resolution of disputes relating to interpretation or application of collective bargaining agreements.*

(q) *General savings clauses.*

(r) *Duration of collective bargaining agreements.*

(s) *Safety of the employee.*

(t) *Academic freedom.*

(u) *Shared governance in academic institutions.*

(v) *Facilities for employees who are faculty members of the Nevada System of Higher Education to meet with students.*

(w) *Policies for the transfer and reassignment of employees.*

(x) *Procedures for reduction or addition in workforce consistent with the provisions of sections 12 to 43, inclusive, of this act.*

3. ~~*Those subject matters which are not within the scope of mandatory bargaining and which are reserved to the Executive Department without negotiation include:*~~

~~*(a) The right to hire, direct, assign or transfer an employee, but excluding the right to assign or transfer an employee as a form of discipline.*~~

~~*(b) The right to reduce in force or lay off any employee because of lack of work or lack of money, subject to paragraph (x) of subsection 2.*~~

~~*(c) The right to determine:*~~

~~*(1) Appropriate staffing levels and work performance standards, except for safety considerations;*~~

~~*(2) The content of the workday, including, without limitation, workload factors, except for safety considerations;*~~

~~*(3) The quality and quantity of services to be offered to the public; and*~~

~~*(4) The means and methods of offering those services.*~~

~~*(d) Safety of the public.*~~

4. *The provisions of sections 12 to 43, inclusive, of this act, including, without limitation, the provisions of this section, recognize and declare the ultimate right and responsibility of the Executive Department to manage its*

operation in the most efficient manner consistent with the best interests of the public and its employees.

~~(5-)~~ 4. This section does not preclude, but the provisions of sections 12 to 43, inclusive, of this act do not require, the Executive Department to negotiate subject matters ~~(enumerated in subsection 2)~~ which are outside the scope of mandatory bargaining. The Executive Department shall discuss subject matters outside the scope of mandatory bargaining but it is not required to negotiate those matters.

Sec. 24.3. 1. Each collective bargaining agreement must be in writing and must include, without limitation:

(a) A procedure to resolve grievances which applies to all employees in the bargaining unit and culminates in binding arbitration. Except as otherwise provided in this paragraph, the procedure must be used to resolve all grievances relating to employment, including, without limitation, the administration and interpretation of the collective bargaining agreement, the applicability of any law, rule or regulation relating to the employment and appeal of discipline and other adverse personnel actions. The parties may agree to resolve certain types of grievances through the use of a mechanism or practice of shared governance in an academic institution.

(b) A provision which provides that an officer of the Executive Department shall, upon written authorization by an employee within the bargaining unit, withhold a sufficient amount of money from the salary or wages of the employee pursuant to NRS 281.129 to pay dues or similar fees to the bargaining agent of the bargaining unit. Such authorization may be revoked only in the manner prescribed in the authorization.

2. An employee in a bargaining unit who is aggrieved by the failure of the Executive Department or its designated representative to comply with the requirements of NRS 281.755 may pursue a grievance related to that failure through:

(a) The procedure provided in the agreement pursuant to paragraph (a) of subsection 1; or

(b) The procedure prescribed by NRS 288.115.  
↳ but once the employee has properly filed a grievance in writing under the procedure described in paragraph (a) or filed a complaint under the procedure described in paragraph (b), the employee may not proceed in the alternative manner.

Sec. 24.7. Except as otherwise provided in this section, the terms of a collective bargaining agreement must begin on July 1 of an odd-numbered year and must end on June 30 of the next odd-numbered year. If the parties cannot agree to a new collective bargaining agreement, the terms of that collective bargaining agreement remain in effect until a new collective bargaining agreement takes effect.

Sec. 25. 1. ~~[An employee]~~ A professional organization may apply to the Executive Department for recognition by presenting:

(a) A copy of its constitution and bylaws, if any;  
(b) A roster of its officers, if any, and representatives; and  
(c) A pledge in writing not to strike against the Executive Department under any circumstances.

↳ The Executive Department shall not recognize as representative of its employees any ~~(employee)~~ professional organization which has not adopted, in a manner valid under its own rules, the pledge required by paragraph (c).

2. If ~~(an employee)~~ a professional organization, at or after the time of its application for recognition, presents a verified membership list or other evidence

1 showing that the ~~employee~~ professional organization represents more than 50  
2 percent of the employees in a bargaining unit, and if the ~~employee~~ professional  
3 organization is recognized by the Executive Department, it shall be deemed the  
4 bargaining agent of the employees in that bargaining unit.

5 3. If it first receives the written permission of the Board, the Executive  
6 Department may withdraw recognition from ~~an employee~~ a professional  
7 organization that:

8 (a) Fails to present a copy of each change in its constitution or bylaws, if  
9 any, or to give notice of any change in the roster of its officers, if any, and  
10 representatives;

11 (b) Disavows its pledge not to strike against the Executive Department under  
12 any circumstances;

13 (c) Ceases to be supported by more than 50 percent of the employees in the  
14 bargaining unit for which it is recognized; or

15 (d) Fails to negotiate in good faith with the Executive Department.

16 Sec. 26. 1. If the Board in good faith doubts whether any ~~employee~~  
17 professional organization is supported by more than 50 percent of the employees  
18 in a particular bargaining unit, it may conduct an election by secret ballot upon  
19 the question. Subject to judicial review, the decision of the Board is binding upon  
20 the Executive Department and all ~~employee~~ professional organizations  
21 involved.

22 2. If no ~~employee~~ professional organization is designated as the  
23 bargaining agent of a bargaining unit, the Board shall order an election to be  
24 conducted within the bargaining unit if:

25 (a) ~~An employee~~ A professional organization files with the Board a written  
26 request for an election which includes a list of its membership or other evidence  
27 showing that it represents at least 30 percent but not more than 50 percent of the  
28 employees within the bargaining unit; and

29 (b) No other election to choose, change or discontinue representation has  
30 been conducted within the bargaining unit during the immediately preceding 12  
31 months.

32 3. If ~~an employee~~ a professional organization has been designated or  
33 recognized as the bargaining agent of a bargaining unit pursuant to subsection 1  
34 or section 25 of this act, the Board shall order an election:

35 (a) If either:

36 (1) Another ~~employee~~ professional organization files with the Board a  
37 written request for an election which includes a list of its membership or other  
38 evidence showing that the ~~employee~~ professional organization represents at  
39 least 50 percent of the employees within the bargaining unit; or

40 (2) A group of employees within the bargaining unit files with the Board  
41 a written request for an election which includes a list or other evidence showing  
42 that more than 50 percent of the employees within the bargaining unit have  
43 requested that an election be conducted to change or discontinue representation;

44 (b) If applicable, the request filed pursuant to paragraph (a) is filed not more  
45 than 270 days and not less than 225 days before the date on which the current  
46 collective bargaining agreement in effect for the bargaining unit expires; and

47 (c) If no other election to choose, change or discontinue representation has  
48 been conducted within the bargaining unit during the immediately preceding 12  
49 months.

50 4. The Executive Department and ~~an employee~~ a professional  
51 organization may agree in writing, without appealing to the Board, to hold a  
52 representative election to determine whether ~~an employee~~ a professional  
53 organization represents at least 50 percent of the employees in a bargaining unit.

1 *Participation by the Board and its staff in an agreed election is subject to the*  
2 *approval of the Board.*

3 *Sec. 27. 1. If the Board orders an election within a bargaining unit*  
4 *pursuant to section 26 of this act, the Board shall order that each of the following*  
5 *be placed as a choice on the ballot for the election:*

6 *(a) If applicable, the ~~employee~~ professional organization that requested the*  
7 *election pursuant to section 26 of this act;*

8 *(b) If applicable, the ~~employee~~ professional organization that is presently*  
9 *designated as the bargaining agent of the bargaining unit;*

10 *(c) Any other ~~employee~~ professional organization that, on or before the*  
11 *date that is prescribed by the rules adopted by the Board, files with the Board a*  
12 *written request to be placed on the ballot for the election and includes with the*  
13 *written request a list of its membership or other evidence showing that the*  
14 *~~employee~~ professional organization represents at least 30 percent of the*  
15 *employees within the bargaining unit; and*

16 *(d) A choice for “no representation.”*

17 *2. ~~If a~~ For an election in which the ballot ~~for an election~~ contains more*  
18 *than two choices ~~and~~:*

19 *(a) If a professional organization receives the vote of more than 50 percent*  
20 *of the employees in the bargaining unit, the Board shall designate the*  
21 *professional organization as the bargaining agent of the bargaining unit.*

22 *(b) If the choice for “no representation” receives the vote of more than 50*  
23 *percent of the employees in the bargaining unit, the Board shall designate the*  
24 *bargaining unit as being without a bargaining agent.*

25 *(c) If none of the choices on the ballot receives ~~a majority of the votes cast~~*  
26 *~~at the initial election,~~ the vote of more than 50 percent of the employees in the*  
27 *bargaining unit, the Board shall order a runoff election between the two choices*  
28 *on the ballot that received the highest number of votes at the initial election.*

29 *3. ~~If~~ For an initial election or runoff election in which the ballot contains*  
30 *two choices:*

31 *(a) If a professional organization receives the vote of more than 50 percent*  
32 *of the employees in the bargaining unit, the Board shall designate the*  
33 *professional organization as the bargaining agent of the bargaining unit.*

34 *(b) If the choice for “no representation” receives ~~a majority of the votes cast~~*  
35 *~~at the initial election or at any runoff election,~~ the vote of more than 50 percent*  
36 *of the employees in the bargaining unit, the Board shall designate the bargaining*  
37 *unit as being without a bargaining agent.*

38 *~~[4.] (c) If ~~an employee organization~~ none of the choices on the ballot~~*  
39 *~~receives ~~a majority of~~ the vote of more than 50 percent of the employees in the~~*  
40 *bargaining unit:*

41 *~~(1) If the number of votes cast ~~at~~ in the ~~initial~~ election ~~for at any~~~~*  
42 *~~runoff election,~~ represents less than two-thirds of the employees in the*  
43 *bargaining unit, the Board shall order no change in the representation of the*  
44 *bargaining unit.*

45 *(2) If the number of votes cast in the election represents two-thirds or*  
46 *more of the employees in the bargaining unit and a professional organization*  
47 *receives more than 50 percent of the votes cast in the election, the Board shall*  
48 *designate the ~~employee~~ professional organization as the bargaining agent of the*  
49 *bargaining unit.*

50 *(3) If the number of votes cast in the election represents two-thirds or*  
51 *more of the employees in the bargaining unit and the choice of “no*  
52 *representation” receives more than 50 percent of the votes cast in the election, the*  
53 *Board shall designate the bargaining unit as being without a bargaining agent.*

1        **Sec. 28. 1.** *The Board shall preside over all elections that are conducted*  
2 *pursuant to section 26 of this act and shall determine the eligibility requirements*  
3 *for employees to vote in any such election.*

4        2. ~~[An employee]~~ A professional organization that is placed as a choice on  
5 the ballot for an election or any employee who is eligible to vote at an election  
6 may file with the Board a written objection to the results of the election. The  
7 objection must be filed not later than 10 days after the date on which the notice of  
8 the results of the election is given by the Board.

9        3. In response to a written objection filed pursuant to subsection 2 or upon  
10 its own motion, the Board may invalidate the results of an election and order a  
11 new election if the Board finds that any conduct or circumstances raise  
12 substantial doubt that the results of the election are reliable.

13        **Sec. 29.** *The Executive Department shall, on or before November 30 of*  
14 *each year, file with the Board a list of all* ~~[employee]~~ professional *organizations*  
15 *recognized by the Executive Department and a description of the bargaining unit*  
16 *for each* ~~[employee]~~ professional *organization.*

17        **Sec. 30. 1.** *Each* ~~[employee]~~ professional *organization recognized by the*  
18 *Executive Department shall file a report with the Board during November of each*  
19 *year.*

20        2. *The report required by this section shall include:*

21        (a) *The full name of the* ~~[employee]~~ professional *organization.*

22        (b) *The name of the entity of the Executive Department which recognizes the*  
23 ~~[employee]~~ professional *organization.*

24        (c) *The names of the officers of the* ~~[employee]~~ professional *organization.*

25        (d) *The total number of persons in each bargaining unit represented by the*  
26 ~~[employee]~~ professional *organization.*

27        (e) *Copies of all changes in the* ~~[employee]~~ professional *organization's*  
28 *constitution or bylaws adopted during the preceding year.*

29        (f) *The name, address and telephone number of the person designated by the*  
30 ~~[employee]~~ professional *organization to receive communications from the Board*  
31 *on business relating to the* ~~[employee]~~ professional *organization.*

32        (g) *A copy of any collective bargaining agreement in effect between the*  
33 ~~[employee]~~ professional *organization and the Executive Department.*

34        3. ~~[An employee]~~ A professional organization which has not previously  
35 been recognized by the Executive Department shall file the information required  
36 by this section within 30 days after recognition.

37        **Sec. 31. 1.** *The Executive Department shall determine, after consultation*  
38 *with each* ~~[employee]~~ professional *organization the Executive Department has*  
39 *recognized, which group or groups of its employees constitute an appropriate unit*  
40 *or units for negotiating. The primary criterion for that determination must be the*  
41 *community of interest among the employees concerned.*

42        2. *A managerial employee must be excluded from any bargaining unit.*

43        3. *A supervisory employee as described in paragraph (a) of subsection 1 of*  
44 *NRS 288.075 must not be a member of the same bargaining unit as the employees*  
45 *under the direction of that supervisory employee. Any dispute between the parties*  
46 *as to whether an employee is a supervisor must be submitted to the Board.* ~~[An~~  
47 ~~employee]~~ A professional *organization which is negotiating on behalf of two or*  
48 *more bargaining units may select members of the units to negotiate jointly on*  
49 *behalf of each other, even if one of the units consists of supervisory employees*  
50 *and the other unit does not.*

51        4. *Confidential employees must be excluded from any bargaining unit but*  
52 *are entitled to participate in any plan to provide benefits for a group that is*  
53 *administered by the bargaining unit of which they would otherwise be a member.*



5. If any ~~employee~~ professional organization is aggrieved by the determination of a bargaining unit, it may appeal to the Board. Subject to judicial review, the decision of the Board is binding upon the Executive Department and ~~employee~~ professional organizations involved. The Board shall apply the same criterion as specified in subsection 1.

Sec. 32. Subject to such reasonable regulations as the Board may prescribe:

1. ~~An employee~~ A professional organization shall have the right to:

(a) At reasonable times, access areas in which employees work;

(b) Use bulletin boards, mailboxes, electronic mail and other means of communication to communicate with employees at their workplace; and

(c) At reasonable times, use the facilities of a workplace for the purpose of meetings concerned with the exercise of any rights guaranteed under the provisions of sections 12 to 43, inclusive, of this act.

2. A reasonable number of employees who are representatives of a bargaining agent shall have the right to receive reasonable periods of leave with no loss of pay to engage in meetings for the purposes of negotiation with the Executive Department, processing grievances and to represent employees during disciplinary, investigatory, grievance or other personnel proceedings.

3. ~~A representative of an employee~~ An employee in a bargaining unit that does not have a bargaining agent may represent himself or herself or be represented by another person, including without limitation, a person who is a representative of a professional organization ~~shall have the right to assist, advise or represent an employee~~ that has not been recognized by the Executive Department, during a disciplinary, investigatory, grievance or other personnel proceeding ~~if the employee has chosen to be represented by the employee organization and~~

~~(a) The employee organization is the~~ Any action taken on a request or in adjustment of a grievance must be consistent with the terms of an applicable negotiated agreement, if any.

4. An employee in a bargaining unit that has a bargaining agent ~~of the bargaining unit of the employee or~~

~~(b) The~~ may represent himself or herself during a disciplinary, investigatory, grievance or other personnel proceeding if the employee is not a member of a bargaining unit with a the professional organization that has been designated as the bargaining agent ~~of the bargaining unit.~~

Sec. 32.5. As soon as practicable after a professional organization is designated the bargaining agent of an unrepresented bargaining unit pursuant to sections 12 to 43, inclusive, of this act, the bargaining agent shall engage in collective bargaining with the Executive Department as required by section 24 of this act to establish a collective bargaining agreement with a term ending on June 30 of the next odd-numbered year.

Sec. 33. 1. Whenever ~~an employee~~ a professional organization desires to negotiate concerning any matter which is subject to negotiation pursuant to the provisions of sections 12 to 43, inclusive, of this act, it shall give written notice of that desire to the Executive Department. If the subject of negotiation requires the budgeting of money by the Executive Department, the ~~employee~~ professional organization shall give notice at least 180 days prior to the beginning of the next fiscal year.

2. Following the notification provided for in subsection 1, the ~~employee~~ professional organization or the Executive Department may request reasonable information concerning any subject matter included in the scope of mandatory bargaining which it deems necessary for and relevant to the negotiations. The

information requested must be furnished without unnecessary delay. The information must be accurate, and must be presented in a form responsive to the request and in the format in which the records containing it are ordinarily kept.

3. The parties shall ~~promptly~~ commence negotiations ~~if~~ within 60 days following the notification provided for in subsection 1 or on or before November 1 of each even-numbered year, whichever is earlier. As the first step, the parties shall discuss the procedures to be followed if they are unable to agree on one or more issues.

4. This section does not preclude, but the provisions of sections 12 to 43, inclusive, of this act do not require, informal discussion between ~~an employee~~ a professional organization and the Executive Department of any matter which is not subject to negotiation or contract under the provisions of sections 12 to 43, inclusive, of this act. Any such informal discussion is exempt from all requirements of notice or time schedule.

Sec. 34. ~~1. At any time during negotiations between an employee organization and the Executive Department, a dispute may be submitted to a mediator if both parties agree. Within 120 days before a collective bargaining agreement expires according to its terms, or if there is no collective bargaining agreement after six or more meetings of negotiation, either party involved in negotiations may request a mediator. If the parties do not agree upon a mediator, the Commissioner shall submit to the parties a list of seven potential mediators who must:~~

- ~~— (a) Be willing to serve as mediators;~~
- ~~— (b) Be broadly representative of the public;~~
- ~~— (c) Have subject matter expertise; and~~
- ~~— (d) Not be closely allied with any employee organization or the Executive Department.~~

~~2. The parties shall select their mediator from the list by alternately striking one name until the name of only one mediator remains, who will be the mediator to hear the dispute. The employee organization shall strike the first name.~~

~~3. If mediation is agreed to or requested pursuant to subsection 1, the mediator must be selected at the time the parties agree upon a mediator or, if the parties do not agree upon a mediator, within 5 days after the parties receive the list of potential mediators from the Commissioner.~~

~~4. The mediator shall bring the parties together as soon as possible and, unless otherwise agreed upon by the parties, attempt to settle the dispute within 30 days after being notified of the mediator's selection as mediator. The mediator may establish the times and dates for meetings and compel the parties to attend but has no power to compel the parties to agree.~~

~~5. The Executive Department and employee organization each shall pay one half of the cost of mediation. Each party shall pay its own costs of preparation and presentation of its case in mediation.~~

~~6. If the dispute is submitted to a mediator and then submitted to a fact finder, the mediator shall, within 15 days after the last meeting between the parties, give to the Commissioner a report of the efforts made to settle the dispute.~~ (Deleted by amendment.)

Sec. 35. Whenever ~~an employee~~ a professional organization enters into negotiations with the Executive Department pursuant to sections 12 to 43, inclusive, of this act such ~~employee~~ professional organization may be represented by an attorney licensed to practice law in the State of Nevada.

Sec. 36. ~~1. If:~~  
~~— (a) The parties have failed to reach an agreement after at least six meetings of negotiations; and~~



~~1 — (b) The parties have participated in mediation and have not reached~~  
~~2 agreement after 30 days of mediation pursuant to subsection 4 of section 34 of~~  
~~3 this act;~~

~~4 — either party to the dispute may submit the dispute to an impartial fact finder~~  
~~5 for the findings and recommendations of the fact finder. The findings and~~  
~~6 recommendations of the fact finder are not binding on the parties except as~~  
~~7 provided in subsections 5, 6 and 11. The mediator of a dispute may also be~~  
~~8 chosen by the parties to serve as the fact finder.~~

~~9 — 2. If the parties are unable to agree on an impartial fact finder or a panel of~~  
~~10 neutral arbitrators within 5 days, either party may request from the American~~  
~~11 Arbitration Association or the Federal Mediation and Conciliation Service a list~~  
~~12 of seven potential qualified fact finders who have subject matter expertise. If the~~  
~~13 parties are unable to agree upon which arbitration service should be used, the~~  
~~14 Federal Mediation and Conciliation Service must be used. Within 5 days after~~  
~~15 receiving a list from the applicable arbitration service, the parties shall select~~  
~~16 their fact finder from this list by alternately striking one name until the name of~~  
~~17 only one fact finder remains, who will be the fact finder to hear the dispute in~~  
~~18 question. The employee organization shall strike the first name.~~

~~19 — 3. The Executive Department and the employee organization each shall pay~~  
~~20 one half of the cost of fact finding. Each party shall pay its own costs of~~  
~~21 preparation and presentation of its case in fact finding.~~

~~22 — 4. A schedule of dates and times for the hearing must be established within~~  
~~23 10 days after the selection of the fact finder pursuant to subsection 2, and the fact~~  
~~24 finder shall report the findings and recommendations of the fact finder to the~~  
~~25 parties to the dispute within 30 days after the conclusion of the fact finding~~  
~~26 hearing.~~

~~27 — 5. The parties to the dispute may agree, before the submission of the dispute~~  
~~28 to fact finding, to make the findings and recommendations on all or any specified~~  
~~29 issues final and binding on the parties.~~

~~30 — 6. If the parties do not agree on whether to make the findings and~~  
~~31 recommendations of the fact finder final and binding, either party may request~~  
~~32 the formation of a panel to determine whether the findings and recommendations~~  
~~33 of a fact finder on all or any specified issues in a particular dispute which are~~  
~~34 within the scope of subsection 11 are to be final and binding. The determination~~  
~~35 must be made upon the concurrence of at least two members of the panel and not~~  
~~36 later than the date which is 30 days after the date on which the matter is~~  
~~37 submitted to the panel, unless that date is extended by the Commissioner. Each~~  
~~38 panel shall, when making its determination, consider whether the parties have~~  
~~39 bargained in good faith and whether it believes the parties can resolve any~~  
~~40 remaining issues. Any panel may also consider the actions taken by the parties in~~  
~~41 response to any previous fact finding between these parties, the best interests of~~  
~~42 the State and all its citizens, the potential fiscal effect both within and outside the~~  
~~43 Executive Department, and any danger to the safety of the people of the State.~~

~~44 — 7. Except as otherwise provided in subsection 10, any fact finder, whether~~  
~~45 the fact finder's recommendations are to be binding or not, shall base such~~  
~~46 recommendations or award on the following criteria:~~

~~47 — (a) A preliminary determination must be made as to the financial ability of~~  
~~48 the Executive Department based on all existing revenues available to the~~  
~~49 Executive Department, with due regard for the obligations and mission of the~~  
~~50 Executive Department.~~

~~51 — (b) Once the fact finder has determined in accordance with paragraph (a)~~  
~~52 that there is a current financial ability to grant monetary benefits, and subject to~~  
~~53 the provisions of paragraph (c), the fact finder shall consider, to the extent~~

~~appropriate compensation of other public and private employees, both in and out of the State and use normal criteria for interest disputes regarding the terms and provisions to be included in an agreement in assessing the reasonableness of the position of each party as to each issue in dispute and the fact finder shall consider whether the Board found that either party had bargained in bad faith.~~

~~—(c) A consideration of funding for the current year being negotiated. If the parties mutually agree to arbitrate a multiyear contract, the fact finder must consider the ability to pay over the life of the contract being negotiated or arbitrated.~~

~~→ The fact finder's report must contain the facts upon which the fact finder based the fact finder's determination of financial ability to grant monetary benefits and the fact finder's recommendations or award.~~

~~—8. Within 45 days after the receipt of the report from the fact finder, the entity of the Executive Department that is a party to the negotiations shall hold a public meeting in accordance with the provisions of chapter 241 of NRS. The meeting must include a discussion of:~~

~~—(a) The issues of the parties submitted pursuant to subsection 3;~~

~~—(b) The report of findings and recommendations of the fact finder; and~~

~~—(c) The overall fiscal impact of the findings and recommendations, which must not include a discussion of the details of the report.~~

~~→ The fact finder must not be asked to discuss the decision during the meeting.~~

~~—9. The chief executive officer of the entity of the Executive Department that is a party to the negotiations shall report to his or her appointing authority the fiscal impact of the findings and recommendations. The report must include, without limitation, an analysis of the impact of the findings and recommendations on compensation and reimbursement, funding, benefits, hours, working conditions or other terms and conditions of employment.~~

~~—10. Any sum of money which is maintained in a fund whose balance is required by law to be:~~

~~—(a) Used only for a specific purpose other than the payment of compensation to the bargaining unit affected; or~~

~~—(b) Carried forward to the succeeding fiscal year in any designated amount, to the extent of that amount;~~

~~→ must not be counted in determining the financial ability of the Executive Department and must not be used to pay any monetary benefits recommended or awarded by the fact finder.~~

~~—11. The issues which may be included in a panel's order pursuant to subsection 6 are:~~

~~—(a) Those enumerated in subsection 2 of section 24 of this act as the subjects of mandatory bargaining; and~~

~~—(b) Those which an existing collective bargaining agreement between the parties makes subject to negotiation.~~

~~→ This subsection does not preclude the voluntary submission of other issues by the parties pursuant to subsection 5. (Deleted by amendment.)~~

Sec. 37. [Any request for the formation of a panel to determine whether the findings and recommendations of a fact finder must be final and binding must be filed with the Commissioner. The request must include:

—1. A list of the issues which remain unresolved and the position of each party regarding those issues;

—2. The requester's assessment of the fiscal effect on the Executive Department of the requester's positions;

~~3. An outline of any previous fact finding between the parties, which includes any recommendations and awards of a fact finder and the actions of each party in response thereto;~~

~~4. A statement of whether the parties engaged in mediation regarding the current dispute;~~

~~5. A schedule of the dates and times set by the fact finder for the hearings; and~~

~~6. Any other information deemed necessary by the Commissioner.~~

~~Any person filing such a request shall give written notice of the request to the Nevada State Board of Accountancy and the State Bar of Nevada.~~ (Deleted by amendment.)

**Sec. 38.** ~~[1. Within 5 days after receiving notice of a request to form a panel pursuant to section 37 of this act, the Nevada State Board of Accountancy and the State Bar of Nevada shall each submit to the Commissioner and each party to the dispute a list of names of five of their members who must:~~

~~(a) Be willing to serve on a panel;~~

~~(b) Be broadly representative of the public;~~

~~(c) Have subject matter expertise; and~~

~~(d) Not be closely allied with any employee organization or the Executive Department.~~

~~2. Within 8 days after receiving the lists, the parties shall choose one name from each list by alternately striking one name until the names of only one attorney and one accountant remain, who will each be a member of the panel. The parties shall choose the member from the list of accountants separately from their choice from the list of attorneys. The parties shall notify the Commissioner of their selections and the Commissioner shall notify the attorney and accountant selected.~~

~~3. Within 5 days after receiving notice of their selection, the attorney and accountant shall:~~

~~(a) Choose the third member of the panel, who must:~~

~~(1) Be willing to serve on the panel;~~

~~(2) Have subject matter expertise;~~

~~(3) Be a resident of this State; and~~

~~(4) Not be closely allied with any employee organization or the Executive Department.~~

~~(b) Notify the Commissioner of their choice, and the three members shall, within 5 days after selecting the third member of the panel, notify the Commissioner of the dates when they will all be available to attend hearings.~~

~~4. The Commissioner shall serve as a nonvoting member and also as the chair of the panel.~~

~~5. If the accountant or attorney selected to serve on the panel is unable to do so, the Nevada State Board of Accountancy or State Bar of Nevada shall designate a person to replace its nominee. If the person selected by the accountant and attorney is unable to serve, the accountant and attorney shall designate another person as a replacement. If the Commissioner is unable to serve, the Governor shall designate a person to serve in the Commissioner's capacity.~~ (Deleted by amendment.)

**Sec. 39.** ~~[1. Each person, except the Commissioner, who serves on a panel formed pursuant to section 38 of this act is entitled to receive:~~

~~(a) Compensation of not less than \$150 for each day the person is engaged in the business of the panel, to a maximum of \$1,000 per case, unless otherwise authorized by the Commissioner for good cause shown; and~~

~~(b) The per diem allowance and travel expenses provided for state officers and employees generally.~~

~~2. Unless otherwise agreed upon by the parties, the Executive Department and employee organization each shall pay one-half of the cost of all claims which arise pursuant to this section. (Deleted by amendment.)~~

Sec. 39.3. 1. Either party may request a mediator from the Federal Mediation and Conciliation Service if the parties do not reach a collective bargaining agreement:

(a) Within 120 days after the date on which the parties began negotiations or on or before February 1 of an odd-numbered year, whichever is earlier; or

(b) On or before any later date set by agreement of the parties.

2. A mediator appointed pursuant to subsection 1 shall bring the parties together as soon as possible after his or her appointment and shall attempt to settle each issue in dispute within 21 days after his or her appointment or any later date set by agreement of the parties.

Sec. 39.6. 1. If a mediator appointed pursuant to section 39.3 of this act determines that his or her services are no longer helpful, or if the parties do not reach a collective bargaining agreement through mediation within 21 days after the appointment of the mediator or on or before any later date set by agreement of the parties, the mediator shall discontinue mediation and the parties shall attempt to agree upon an impartial arbitrator. Any proposal that conflicts or is otherwise inconsistent with any provision of state law, other than the provisions of chapters 284 and 287 of NRS, shall be considered withdrawn by the proposing party when mediation is discontinued.

2. If the parties do not agree upon an impartial arbitrator within 5 days after the date on which mediation is discontinued pursuant to subsection 1 or on or before any later date set by agreement of the parties, the parties shall request from the Federal Mediation and Conciliation Service a list of seven potential arbitrators. The parties shall select an arbitrator from this list by alternately striking one name until the name of only one arbitrator remains, and that arbitrator must hear the dispute in question. The party who will strike the first name must be determined by a coin toss.

3. The arbitrator shall begin arbitration proceedings on or before March 1 or any later date set by agreement of the parties.

4. The arbitrator and the parties shall apply and follow the procedures for arbitration that are prescribed by any rules adopted by the Board pursuant to NRS 288.110. During arbitration, the parties retain their respective duties to negotiate in good faith.

5. The arbitrator may administer oaths or affirmations, take testimony and issue and seek enforcement of a subpoena in the same manner as the Board pursuant to NRS 288.120, and, except as otherwise provided in subsection 7, the provisions of NRS 288.120 apply to any subpoena issued by the arbitrator.

6. The arbitrator shall render a decision on or before March 15 or any later date set by agreement of the parties.

7. The Executive Department and the bargaining agent shall each pay one-half of the cost of arbitration.

Sec. 39.8. 1. For issues in dispute after arbitration proceedings are held pursuant to section 39.6 of this act, the arbitrator shall incorporate either the final offer of the Executive Department or the final offer of the bargaining agent into his or her decision. The decision of the arbitrator must be limited to a selection of one of the two final offers of the parties. The arbitrator shall not revise or amend the final offer of either party on any issue.

2. To determine which final offer to incorporate into his or her decision, the arbitrator shall assess the reasonableness of:

(a) The position of each party as to each issue in dispute; and

(b) The contractual terms and provisions contained in each final offer.

3. In assessing reasonableness pursuant to subsection 2, the arbitrator shall:

(a) Compare the salaries, wages, hours and other terms and conditions of employment for the employees within the bargaining unit with the salaries, wages, hours and other terms and conditions of employment for other employees performing similar services and for other employees generally:

(1) In public employment in comparable communities or institutions;  
and

(2) In private employment in comparable communities or institutions;  
and

(b) Consider, without limitation:

(1) The financial ability of the State to pay the costs associated with the proposed collective bargaining agreement, with due regard for the primary obligation of the State to safeguard the health, safety and welfare of the people of this State;

(2) The average prices paid by consumers for goods and services in the geographic location where the employees work; and

(3) Such other factors as are normally or traditionally used as part of collective bargaining, mediation, arbitration or other methods of dispute resolution to determine the salaries, wages, hours and other terms and conditions of employment for employees in public or private employment.

4. The decision of the arbitrator is final and binding upon the parties.

Sec. 40. 1. If there is a conflict between any provisions of a collective bargaining agreement between the Executive Department and a bargaining agent and:

(a) Any policy, procedure or regulation adopted by the Executive Department, the provision of the collective bargaining agreement prevails unless the provision of the agreement is outside the lawful scope of collective bargaining.

(b) An existing statute, other than a ~~provision of chapter 284 of NRS,~~ statute described in paragraph (c), the provision of the agreement may not be given effect unless the Legislature amends the existing statute in such a way as to eliminate the conflict.

(c) A provision of chapter 284 or 287 of NRS ~~or~~ or sections 39.3, 39.6 or 39.8 of this act, the provisions of the agreement prevails unless the Legislature is required to appropriate money to implement the provisions, within the limits of legislative appropriations and any other available money.

2. If a provision of a collective bargaining agreement:

(a) Does not require an act of the Legislature to be given effect, the provision becomes effective in accordance with the terms of the agreement.

(b) Requires an act of the Legislature to be given effect:

(1) The Governor shall request the drafting of a legislative measure pursuant to NRS 218D.175 to effectuate the provision; and

(2) The provision becomes effective, if at all, on the date on which the act of the Legislature becomes effective.

Sec. 41. The following proceedings, required by or pursuant to this chapter, are not subject to any provision of NRS which requires a meeting to be open or public:

1        1. Any negotiation or informal discussion between the Executive  
2 Department and ~~an employee~~ a professional organization or employees as  
3 individuals.

4        2. Any meeting of a mediator with either party or both parties to a  
5 negotiation.

6        3. Any meeting or investigation conducted by a fact finder.

7        4. Any meeting of the Executive Department with its management  
8 representative or representatives.

9        5. Deliberations of the Board toward a decision on a complaint, appeal or  
10 petition for declaratory relief.

11        Sec. 42. 1. It is a prohibited practice for the Executive Department or its  
12 designated representative willfully to:

13        (a) Interfere, restrain or coerce any employee in the exercise of any right  
14 guaranteed pursuant to sections 12 to 43, inclusive, of this act.

15        (b) Dominate, interfere or assist in the formation or administration of any  
16 ~~employee~~ professional organization.

17        (c) Discriminate in regard to hiring, tenure or any term or condition of  
18 employment to encourage or discourage membership in any ~~employee~~  
19 professional organization.

20        (d) Discharge or otherwise discriminate against any employee because the  
21 employee has signed or filed an affidavit, petition or complaint or given any  
22 information or testimony pursuant to sections 12 to 43, inclusive, of this act or  
23 because the employee has formed, joined or chosen to be represented by any  
24 ~~employee~~ professional organization.

25        (e) Refuse to bargain collectively in good faith with a bargaining agent as  
26 required in section 24 of this act. Bargaining collectively includes the entire  
27 bargaining process, including mediation, arbitration and fact-finding, provided  
28 for in the provisions of sections 12 to 43, inclusive, of this act.

29        (f) Discriminate because of race, color, religion, sex, sexual orientation,  
30 gender identity or expression, age, disability, national origin, or because of  
31 political or personal reasons or affiliations.

32        (g) Fail to provide the information required by section 33 of this act.

33        (h) Fail to comply with the requirements of NRS 281.755.

34        (i) Deny to ~~employee~~ professional organizations the rights guaranteed to  
35 them under this act.

36        2. It is a prohibited practice for ~~an employee~~ a professional organization  
37 or its designated agent willfully to:

38        (a) Interfere with, restrain or coerce any employee in the exercise of any  
39 right guaranteed under the provisions of sections 12 to 43, inclusive, of this act.

40        (b) Refuse to bargain collectively in good faith with the Executive  
41 Department, if it is a bargaining agent, as required by section 24 of this act.  
42 Bargaining collectively includes the entire bargaining process, including  
43 mediation, arbitration and ~~fact finding~~ provided for in the provisions of  
44 sections 12 to 43, inclusive, of this act.

45        (c) Discriminate because of race, color, religion, sex, sexual orientation,  
46 gender identity or expression, age, disability, national origin, or because of  
47 political or personal reasons or affiliations.

48        (d) Fail to provide the information required by section 33 of this act.

49        Sec. 43. Any dispute concerning prohibited practices may be submitted to  
50 the Board in the same manner and with the same effect as provided in NRS  
51 288.110, except that an alleged failure to provide information as provided by  
52 subsection 2 of section 33 of this act must be heard and determined by the Board  
53 as soon as possible after the complaint is filed with the Board.



1       **Sec. 44.** NRS 288.010 is hereby amended to read as follows:

2       288.010 This chapter may be cited as the ~~Local~~ Government Employee-  
3       Management Relations Act.

4       **Sec. 45.** NRS 288.020 is hereby amended to read as follows:

5       288.020 As used in ~~[this chapter.]~~ *NRS 288.140 to 288.220, inclusive,*  
6       *288.270 and 288.280*, unless the context otherwise requires, the words and terms  
7       defined in NRS 288.025 to 288.075, inclusive, have the meanings ascribed to them  
8       in those sections.

9       **Sec. 46.** ~~NRS 288.040 is hereby amended to read as follows:~~

10       ~~288.040 "Employee organization" means an organization of any kind having~~  
11       ~~as one of its purposes improvement of the terms and conditions of employment of~~  
12       ~~state or local government employees.] (Deleted by amendment.)~~

13       **Sec. 47.** NRS 288.080 is hereby amended to read as follows:

14       288.080 1. The ~~Local~~ Government Employee-Management Relations  
15       Board is hereby created, consisting of five members, broadly representative of the  
16       public and not closely allied with any employee organization ~~for~~, *professional*  
17       *organization, the Executive Department or any* local government employer, not  
18       more than three of whom may be members of the same political party, and at least  
19       three of whom must reside in southern Nevada. The term of office of each member  
20       is 4 years.

21       2. The Governor shall appoint the members of the Board.

22       **Sec. 48.** NRS 288.090 is hereby amended to read as follows:

23       288.090 1. The members of the Board shall annually elect one of their  
24       number as Chair and one as Vice Chair. Except as otherwise provided in this  
25       section, any three members of the Board constitute a quorum, and a majority of a  
26       quorum present at any meeting may exercise all the power and authority conferred  
27       on the Board.

28       2. Except by a majority vote of the entire membership of the Board, the Board  
29       may not:

30       (a) Elect a Chair or Vice Chair;

31       (b) Appoint the Commissioner or Secretary of the Board, or terminate the  
32       employment of the Commissioner or Secretary;

33       (c) Adjust the fee charged to local government employers *or the Executive*  
34       *Department* pursuant to NRS 288.105 or *section 22 of this act* or impose a civil  
35       penalty for failure to pay the fee;

36       (d) Make or adopt any rule or regulation; or

37       (e) Grant permission to a local government employer *or the Executive*  
38       *Department* to withdraw recognition from an employee organization *pursuant to*  
39       *NRS 288.160 or a professional organization pursuant to section 25 of this act* or  
40       order an election pursuant to NRS 288.160 ~~for~~ *or section 26 of this act.*

41       3. Whenever less than five members of the Board are present at any meeting,  
42       not more than two of the members present may be members of the same political  
43       party.

44       4. The Board may, within the limits of legislative appropriations and any  
45       other available money:

46       (a) Appoint a Commissioner and a Secretary, who are in the unclassified  
47       service of the State; and

48       (b) Employ such additional clerical personnel as may be necessary, who are in  
49       the classified service of the State.

50       **Sec. 49.** NRS 288.110 is hereby amended to read as follows:

51       288.110 1. The Board may make rules governing:

52       (a) Proceedings before it;

53       (b) Procedures for fact-finding;

(c) The recognition *, as defined in NRS 288.067 or section 20 of this act,* of employee organizations ~~and~~ professional 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 *the Executive Department,* any local government employer, *any employee, as defined by section 17 of this act,* any local government employee ~~or~~ employee organization ~~or~~ professional organization. Except as otherwise provided in this subsection and NRS 288.115 and 288.280, the Board shall conduct a hearing within 180 days after it decides to hear a complaint. If a complaint alleges a violation of paragraph (e) of subsection 1 of NRS 288.270 or paragraph (b) of subsection 2 of ~~that section,~~ NRS 288.270, paragraph (e) of subsection 1 of section 42 of this act or paragraph (b) of subsection 2 of section 42 of this act, the Board shall conduct a hearing not later than 45 days after it decides to hear the complaint, unless the parties agree to waive this requirement. The Board, after a hearing, if it finds that the complaint is well taken, may order any person *or entity* 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. Except when an expedited hearing is conducted pursuant to NRS 288.115, 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.

*7. As used in this section, "bargaining unit" has the meaning ascribed to it in NRS 288.028 or section 15 of this act.*

**Sec. 49.5. NRS 288.250 is hereby amended to read as follows:**

288.250 1. If a strike is commenced or continued in violation of an order issued pursuant to NRS 288.240, the court may:

(a) Punish ~~the~~ each employee organization or ~~organizations~~ professional organization guilty of such violation by a fine of not more than \$50,000 against each organization for each day of continued violation.

(b) Punish any officer of an employee organization or professional organization who is wholly or partly responsible for such violation by a fine of not more than \$1,000 for each day of continued violation, or by imprisonment as provided in NRS 22.110.

(c) Punish any employee of the State or of a local government employer who participates in such strike by ordering the dismissal or suspension of such employee.

2. Any of the penalties enumerated in subsection 1 may be applied alternatively or cumulatively, in the discretion of the court.

**Sec. 50. NRS 241.016 is hereby amended to read as follows:**

241.016 1. The meetings of a public body that are quasi-judicial in nature are subject to the provisions of this chapter.

2. The following are exempt from the requirements of this chapter:



(a) The Legislature of the State of Nevada.

(b) Judicial proceedings, including, without limitation, proceedings before the Commission on Judicial Selection and, except as otherwise provided in NRS 1.4687, the Commission on Judicial Discipline.

(c) Meetings of the State Board of Parole Commissioners when acting to grant, deny, continue or revoke the parole of a prisoner or to establish or modify the terms of the parole of a prisoner.

3. Any provision of law, including, without limitation, NRS 91.270, 219A.210, 228.495, 239C.140, 281A.350, 281A.690, 281A.735, 281A.760, 284.3629, 286.150, 287.0415, 287.04345, 287.338, 288.220, 289.387, 295.121, 360.247, 388.261, 388A.495, 388C.150, 388G.710, 388G.730, 392.147, 392.467, 394.1699, 396.3295, 433.534, 435.610, 463.110, 622.320, 622.340, 630.311, 630.336, 631.3635, 639.050, 642.518, 642.557, 686B.170, 696B.550, 703.196 and 706.1725, **and section 41 of this act**, which:

(a) Provides that any meeting, hearing or other proceeding is not subject to the provisions of this chapter; or

(b) Otherwise authorizes or requires a closed meeting, hearing or proceeding, ➤ prevails over the general provisions of this chapter.

4. The exceptions provided to this chapter, and electronic communication, must not be used to circumvent the spirit or letter of this chapter to deliberate or act, outside of an open and public meeting, upon a matter over which the public body has supervision, control, jurisdiction or advisory powers.

**Sec. 51.** NRS 280.320 is hereby amended to read as follows:

~~280.320~~ 1. A department is a local government employer for the purpose of the ~~Local~~ Government Employee-Management Relations Act and a public employer for the purpose of the Public Employees' Retirement Act.

2. In negotiations arising under the provisions of chapter 288 of NRS:

(a) The committee or two or more persons designated by the committee; and

(b) The sheriff or a person designated by the sheriff, ➤ shall represent the department.

3. In negotiations arising under the provisions of chapter 288 of NRS, a school police unit must be considered a separate bargaining unit.

**Sec. 52.** NRS 354.695 is hereby amended to read as follows:

354.695 1. As soon as practicable after taking over the management of a local government, the Department shall, with the approval of the Committee:

(a) Establish and implement a management policy and a financing plan for the local government;

(b) Provide for the appointment of a financial manager for the local government who is qualified to manage the fiscal affairs of the local government;

(c) Provide for the appointment of any other persons necessary to enable the local government to provide the basic services for which it was created in the most economical and efficient manner possible;

(d) Establish an accounting system and separate accounts in a bank or credit union, if necessary, to receive and expend all money and assets of the local government;

(e) Impose such hiring restrictions as deemed necessary;

(f) Negotiate and approve all contracts entered into by or on behalf of the local government before execution and enter into such contracts on behalf of the local government as the Department deems necessary;

(g) Negotiate and approve all collective bargaining contracts and other employment contracts to be entered into by the local government with an employee organization or any employee, except that the Department shall not negotiate or approve issues submitted to a fact finder whose findings and recommendations are

1 final and binding pursuant to the provisions of the ~~[Local]~~ Government Employee-  
2 Management Relations Act;

3 (h) If the Committee made a recommendation to the Commission that a severe  
4 financial emergency exists in the local government based upon the existence of one  
5 or more conditions described in paragraph (c), (d), (g), (h), (n), (o), (p), (r) or (aa)  
6 of subsection 2 of NRS 354.685;

7 (1) Open and renegotiate in good faith, or assist the local government in  
8 renegotiating, any existing collective bargaining agreement or other employment  
9 contract relating to compensation or monetary benefits during the period of severe  
10 financial emergency; and

11 (2) Assume all rights, duties and powers pursuant to NRS 288.150 that are  
12 otherwise reserved to the local government during a period of severe financial  
13 emergency;

14 (i) Approve all expenditures of money from any fund or account and all  
15 transfers of money from one fund to another;

16 (j) Employ such technicians as are necessary for the improvement of the  
17 financial condition of the local government;

18 (k) Meet with any holders and the creditors of the local government to  
19 negotiate in good faith and formulate a debt liquidation program that may include,  
20 without limitation, the adjustment of bonded indebtedness by the exchange of  
21 existing bonds for new bonds with a later maturity date and a different interest rate;

22 (l) If the Department has taken over the management of a local government  
23 because the local government is involved in litigation or threatened litigation, carry  
24 out the duties of the Department pursuant to subsection 2 of NRS 31.010;

25 (m) Approve the issuance of bonds or other forms of indebtedness by the local  
26 government;

27 (n) Discharge any of the outstanding debts and obligations of the local  
28 government; and

29 (o) Take any other actions necessary to ensure that the local government  
30 provides the basic functions for which it was created in the most economical and  
31 efficient manner possible.

32 2. The Department may provide for reimbursement from the local  
33 government for the expenses the Department incurs in managing the local  
34 government. If such reimbursement is not possible, the Department may request an  
35 allocation by the Interim Finance Committee from the Contingency Account  
36 pursuant to NRS 353.266, 353.268 and 353.269.

37 3. The governing body of a local government which is being managed by the  
38 Department pursuant to this section may make recommendations to the Department  
39 or the financial manager concerning the management of the local government.

40 4. Each state agency, board, department, commission, committee or other  
41 entity of the State shall provide such technical financial assistance concerning the  
42 management of the local government as is requested by the Department.

43 5. The Department may delegate any of the powers and duties imposed by  
44 this section to the financial manager appointed pursuant to paragraph (b) of  
45 subsection 1. A financial manager acting within the scope of his or her delegation  
46 pursuant to this subsection is responsible only to the Department for his or her  
47 actions.

48 6. Except as otherwise provided in NRS 354.723 and 450.760, once the  
49 Department has taken over the management of a local government pursuant to the  
50 provisions of subsection 1, that management may only be terminated pursuant to  
51 NRS 354.725.

**Sec. 53.** NRS 386.365 is hereby amended to read as follows:

386.365 1. Except as provided in subsection 3, each board of trustees in any county having a population of 100,000 or more shall give 13 days' notice of its intention to adopt, repeal or amend a policy or regulation of the board concerning any of the subjects set forth in subsection 4. The notice must:

(a) Include a description of the subject or subjects involved and must state the time and place of the meeting at which the matter will be considered by the board; and

(b) Be mailed to the following persons from each of the schools affected:

(1) The principal;

(2) The president of the parent-teacher association or similar body; and

(3) The president of the classroom teachers' organization or other collective bargaining agent.

➤ A copy of the notice and of the terms of each proposed policy or regulation, or change in a policy or regulation, must be made available for inspection by the public in the office of the superintendent of schools of the school district at least 13 days before its adoption.

2. All persons interested in a proposed policy or regulation or change in a policy or regulation must be afforded a reasonable opportunity to submit data, views or arguments, orally or in writing. The board of trustees shall consider all written and oral submissions respecting the proposal or change before taking final action.

3. Emergency policies or regulations may be adopted by the board upon its own finding that an emergency exists.

4. This section applies to policies and regulations concerning:

(a) Attendance rules;

(b) Zoning;

(c) Grading;

(d) District staffing patterns;

(e) Curriculum and program;

(f) Pupil discipline; and

(g) Personnel, except with respect to dismissals and refusals to reemploy covered by contracts entered into as a result of the ~~Local~~ Government Employee-Management Relations Act, as provided in NRS 391.660.

**Sec. 54.** NRS 597.995 is hereby amended to read as follows:

597.995 1. Except as otherwise provided in subsection 3, an agreement which includes a provision which requires a person to submit to arbitration any dispute arising between the parties to the agreement must include specific authorization for the provision which indicates that the person has affirmatively agreed to the provision.

2. If an agreement includes a provision which requires a person to submit to arbitration any dispute arising between the parties to the agreement and the agreement fails to include the specific authorization required pursuant to subsection 1, the provision is void and unenforceable.

3. The provisions of this section do not apply to an agreement that is a collective bargaining agreement. As used in this subsection, "collective bargaining" has the meaning ascribed to it in ~~NRS 288.033~~ **section 6 of this act.**

**Sec. 55.** 1. Insofar as they conflict with the provisions of such an agreement, the amendatory provisions of this act do not apply during the current term of any collective bargaining agreement entered into before the effective date of this act, but do apply to any extension or renewal of such an agreement and to any such agreement entered into on or after the effective date of this act.

2. If the Executive Department has established a bargaining unit for any of its employees or has recognized ~~an employee~~ a professional organization as a bargaining agent for a bargaining unit as of the effective date of this act, such bargaining unit or bargaining agent shall be deemed the bargaining unit or bargaining agent representing the same employees on and after the effective date of this act until such time, if any, the bargaining unit or bargaining agent is changed or modified in accordance with the provisions of this act.

3. As used in this section:

(a) "Bargaining agent" has the meaning ascribed to it in section 14 of this act.

(b) "Bargaining unit" has the meaning ascribed to it in section 15 of this act.

(c) "Employee" has the meaning ascribed to it in section 17 of this act.

(d) "Professional organization" has the meaning ascribed to it in section 10.5 of this act.

**Sec. 56.** NRS 288.030, 288.033, 288.034, 288.045, 288.063 and 288.070 are hereby repealed.

**Sec. 57.** This act becomes effective upon passage and approval.

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#### LEADLINES OF REPEALED SECTIONS

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**288.030** "Board" defined.

**288.033** "Collective bargaining" defined.

**288.034** "Commissioner" defined.

**288.045** "Fact-finding" defined.

**288.063** "Mediation" defined.

**288.070** "Strike" defined.