SUMMARY—Revises provisions relating to collective bargaining. (BDR 23-235)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: May have Fiscal Impact.

Effect on the State Highway Fund: No.

AN ACT relating to public employees; revising provisions relating to the withdrawal of the designation of an exclusive representative of certain employees of the Executive Department of State Government within a bargaining unit; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

The Government Employee-Management Relations Act provides for requirements and procedures for collective bargaining over certain terms and conditions of employment between: (1) local government employers and certain local government employees; and (2) the Executive Department of State Government and certain employees in the classified service of this State. (Chapter 288 of NRS) The Act provides for: (1) the recognition by a local government employer that an employee organization has the right to represent the local government employees within a bargaining unit; and (2) the designation by the Government Employee-Management Relations Board of a labor organization as the exclusive representative of the classified state employees within a bargaining unit. (NRS 288.136, 288.160, 288.430, 288.520, 288.525, 288.530) Existing

law authorizes a local government employer to withdraw recognition from an employee organization under certain circumstances if the local government employer first receives the written permission of the Board. (NRS 288.160) **Section 1** of this bill requires the Board, if the Executive Department so petitions, to withdraw designation from an exclusive representative of the classified state employees within a bargaining unit if the exclusive representative: (1) is engaging in or threatens to engage in a strike; (2) ceases to be supported by at least 30 percent of the employees within the bargaining unit; or (3) has been found by the Board to have repeatedly failed to negotiate in good faith with the Executive Department.

With respect to collective bargaining between local government employers and employees, the Board is authorized under the Act to conduct an election by secret ballot if the Board in good faith doubts whether an employee organization is supported by a majority of the local government employees within a bargaining unit, including for the purpose of withdrawal of recognition. (NRS 288.160) With respect to collective bargaining between the Executive Department and classified state employees, the Board, under certain circumstances, is required under the Act to preside over and conduct an election to choose, change or discontinue exclusive representation of such employees. (NRS 288.525, 288.530, 288.535) **Section 1** also authorizes the Board to conduct an election by secret ballot to determine whether an exclusive representative has the support of at least 30 percent of the classified state employees within a bargaining unit for the purpose of determining whether to withdraw designation from the exclusive representative. **Section 2** of this bill requires the Board to preside over such an election.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN

SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 288 of NRS is hereby amended by adding thereto a new section to read as follows:

1. If the Executive Department files a petition with the Board requesting that the Board withdraw designation from an exclusive representative, the Board shall withdraw such designation if the exclusive representative:

(a) Is engaging in a strike or threatens to engage in a strike;

(b) Ceases to be supported by at least 30 percent of the employees within the bargaining unit that it represents; or

(c) Has been found by the Board to have repeatedly failed to negotiate in good faith with the Executive Department.

2. For the purposes of paragraph (b) of subsection 1, the Board may conduct an election by secret ballot to determine whether the exclusive representative is supported by at least 30 percent of the employees within the bargaining unit that it represents.

Sec. 2. NRS 288.535 is hereby amended to read as follows:

288.535 1. The Board shall preside over all elections that are conducted pursuant to NRS 288.525 ***and section 1 of this act*** and shall determine the eligibility requirements for employees to vote in any such election.

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

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

Sec. 3. This act becomes effective on July 1, 2027.