

SENATE COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

Minutes of Meeting -- April 19, 1971

The forty-eighth meeting of the Senate Committee on Federal, State and Local Governments was held on the 19th day of April, 1971.

Committee members present: James I. Gibson
Carl F. Dodge
Warren L. Monroe
Chic Hecht
Coe Swobe
Lee Walker
Stan Drakulich

Also present were:

Bill Adams, Assistant City Manager, Las Vegas
Keith Henrikson, Peace Officers-Fire Fighters
Curt Blyth, Nevada Municipal Association
Charles Earl, Personnel Analyst, City of Reno
Richard Morgan, Nevada State Education Association
Edmond Psaltis, Washoe County School District
Angus MacEachern, Personnel, City of Las Vegas
Joe Latimore, City of Reno
William Blackmer, Las Vegas Valley Water District
Jim Guinan, Attorney
Tom Donnelly, Las Vegas Valley Water District
David Henry, Clark County Administrator
Press

Chairman Gibson called the meeting to order at 4:30 P.M.

AB-178 Extends amended provisions of Local Government Employee-Management Relations Act to all government employees; provides for binding arbitration; specifies certain prohibited practices.

Chairman Gibson requested that the witnesses present who wished to speak on AB-178 confine their remarks to the amendments which were proposed to the committee in the meeting held at 4:00 P.M. on Saturday, April 17, 1971.

Mr. Latimore stated that he had not had sufficient time to go over the amendments and asked that instead Mr. MacEachern speak in his place. He also reiterated that in speaking he represents the Municipal Association and that they oppose any changes in the Dodge Act at the present time.

Mr. Angus MacEachern stated that he had gone over the amendments as proposed on Saturday and had further suggestions which he felt would clarify some of the language. He then went over each of the proposed amendments to this bill, a copy of which is attached hereto.

Mr. Charles Earl, Personnel Analyst for the City of Reno, made several comments on AB-178 stressing that they would like the bill to be amended to provide for mediation. He also discussed other suggested amendments. The committee also heard further testimony from Mr. Henrikson, Mr. Morgan, Mr. Psaltis, and Mr. Blyth concerning the amendments to this bill.

Also attached hereto is a letter from the University of Nevada requesting that nurses be excluded from AB-178.

SB-644 Designates Las Vegas Valley water district as agency to undertake elimination of Lake Mead-Las Vegas Wash pollution problems.

SB-647 Gives Las Vegas Valley water district responsibility for water distribution and sewage treatment and disposal.

The committee read and discussed the proposed amendments to SB-644 and SB-647. Mr. Donnelly of the Las Vegas Valley Water District stated that it would take the better part of two years before the study and engineering design would be completed, so it would probably be close to January of '73 before the construction funds would be required.

Senator Dodge moved to "Amend and Do Pass on SB-644 and SB-647," seconded by Senator Monroe. The motion carried.

The meeting was then adjourned.

Respectfully submitted,

Mary Jean Fondi,
Committee Secretary

James I. Gibson,
Committee Chairman

NEIL D. HUMPHREY
Chancellor
Suite 340, Arlington Towers
100 N. Arlington Avenue
Reno, Nevada 89501
(702) 784-6801

April 19, 1971

Honorable James I. Gibson
Chairman
Federal, State and Local Governments Committee
State Senate

Dear Senator Gibson:

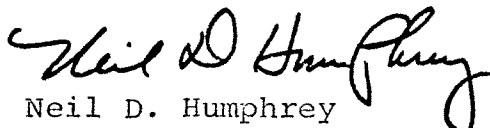
A.B. 178, Section 1, provides that nurses employed by the State of Nevada are to be included in the provisions of the Local Government Employee-Management Relations Act. Section 2 of the bill provides that the negotiating officer for the State of Nevada is the director of the Department of Health, Welfare and Rehabilitation.

After discussing this bill with various people I conclude that the nurses employed by the University of Nevada System would be included if the bill passes in its present form, but that such inclusion is inadvertent. The Board of Regents has requested that A.B. 178 not apply to the University of Nevada System and no faculty or other employee organization has requested that it apply to the University. I believe that there is no public interest to be served by inclusion of nurses at the University in this legislation.

Apparently this would affect faculty in the Orvis School of Nursing, University of Nevada Reno, the nursing programs at the University of Nevada Las Vegas, the Community Colleges and the nurses in our student health services. I believe these professionals do not have sufficient community of interest with other nurses employed by the State to justify placing them in the same bargaining group. In addition, if University employees are to be included in any manner the negotiating officer for the University should be an officer responsible to the Board of Regents, not an appointee of the Governor.

I respectfully request, on behalf of the Board of Regents, that A.B. 178 be amended in such a manner that nurses employed by the University are excluded.

Very truly yours,


Neil D. Humphrey
Chancellor

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(REPRINTED WITH ADOPTED AMENDMENTS)

FOURTH REPRINT

A. B. 178

ASSEMBLY BILL NO. 178—COMMITTEE ON
GOVERNMENT AFFAIRS

FEBRUARY 5, 1971

Referred to Committee on Government Affairs

SUMMARY—Extends amended provisions of Local Government Employee-Management Relations Act to all government employees; provides for binding arbitration; specifies certain prohibited practices. Fiscal Note: No. (BDR 23-988)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT amending the Local Government Employee-Management Relations Act; extending its coverage; providing for recognition of and negotiation with employee organizations in certain instances; providing for binding arbitration; prohibiting certain practices; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

1 SECTION 1. NRS 288.050 is hereby amended to read as follows:

2 288.050 "Local government employee" means: [any]

3 1. Any person employed by a local government employer.

4 2. Nurses employed by the State of Nevada.

5 SEC. 1.5. NRS 288.060 is hereby amended to read as follows:

6 288.060 "Local government employer" means any political subdivi-
7 sion of this state or any public or quasi-public corporation organized
8 under the laws of this state and includes, without limitation, *the State of*
9 *Nevada when employing nurses*, counties, cities, unincorporated towns,
10 school districts, *hospital districts*, irrigation districts and other special
11 districts.

12 SEC. 2. NRS 288.150 is hereby amended to read as follows:

13 288.150 1. It is the duty of every local government employer, except
14 as limited in subsection 2, to negotiate *in good faith* through a representa-
15 tive or representatives of its own choosing concerning wages, hours, and
16 conditions of employment with the recognized employee organization, if
17 any, for each appropriate unit among its employees. *Agreements so*
18 *reached shall be reduced to writing*. Where any officer of a local govern-
19 ment employer, other than a member of the governing body, is elected by
20 the people and directs the work of any local government employee, such

Sec. 2 (Ref. P.1 L17)

Add the words - "If either party requests" after "employees" and before
"Agreements".

1 officer is the proper person to negotiate, directly or through a representa-
2 tive or representatives of his own choosing, in the first instance concerning
3 any employee whose work is directed by him, but may refer to the govern-
4 ing body or its chosen representative or representatives any matter beyond
5 the scope of his authority. *The proper negotiating officer for the State of*
6 *Nevada is the director of the department of health, welfare and rehabili-*
7 *tation or his representative.*

8 2. Each local government employer is entitled, without negotiation
9 or reference to any agreement resulting from negotiation:

- 10 (a) To direct its employees;
- 11 (b) To hire, promote, classify, transfer, assign, retain, suspend,
- 12 demote, discharge or take disciplinary action against any employee;
- 13 (c) To relieve any employee from duty because of lack of work or
- 14 for any other legitimate reason;
- 15 (d) To maintain the efficiency of its governmental operations;
- 16 (e) To determine the methods, means and personnel by which its
- 17 operations are to be conducted; and
- 18 (f) To take whatever actions may be necessary to carry out its respon-
- 19 sibilities in situations of emergency.

20 SEC. 3. NRS 288.170 is hereby amended to read as follows:

21 288.170 1. Each local government employer which has recognized
22 one or more employee organizations shall determine, after consultation
23 with such recognized organization or organizations, which group or groups
24 of its employees constitute an appropriate unit or units for negotiating
25 purposes. [The primary criterion for such determination shall be com-
26 munity of interest among the employees concerned.] A local

27 2. In determining, modifying or combining any bargaining unit the
28 government employer shall consider:

- 29 (a) The duties, skills and working conditions of the government
- 30 employees;
- 31 (b) The history of collective bargaining by or representation of such
- 32 employees;
- 33 (c) The extent of organization among such employees;
- 34 (d) The desire of the government employees affected; and
- 35 (e) Interchange of duties, similarity of qualifications, use of related
- 36 equipment or other items, demonstrating a community of interests.

37 A government department head shall not be a member of the same nego-
38 tiating unit as the employees who serve under his direction. A principal,
39 assistant principal or other school administrator below the rank of super-
40 intendent, associate superintendent or assistant superintendent shall not
41 be a member of the same negotiating unit with public school teachers
42 unless the school district employs fewer than five principals but may join
43 with other officials of the same specified ranks to negotiate as a separate
44 negotiating unit.

45 [2.] 3. If any employee organization is aggrieved by determination
46 of a negotiating unit, it may appeal to the board. Subject to judicial
47 review, the decision of the board is binding upon the local government
48 employer and [all] employee organizations involved. *The board shall*
49 *apply the same criterion as the government employer.*

Page 2, insert between lines 19 and 20: "Any action taken under the provisions of this subsection shall not be construed as a failure to negotiate in good faith."

Add to Page 2 L.26 "A LOCAL GOVERNMENT DEPARTMENT HEAD, ADMINISTRATIVE EMPLOYEE OR SUPERVISORY EMPLOYEE SHALL NOT BE A MEMBER OF AN EMPLOYEE ORGANIZATION, THAT ENGAGES IN COLLECTIVE BARGAINING, WHICH CONTAINS EMPLOYEES OTHER THAN THE ABOVE CLASSIFICATIONS. Any dispute between the parties as to whether an employee is a supervisor shall be submitted to the board. In all cases, confidential employees of the governmental employer shall be excluded from any negotiating unit."

Delete L.49 (as the government employer.)

Add to L.49 set forth above.

1 SEC. 4. NRS 288.180 is hereby amended to read as follows:
2 288.180 1. Whenever an employee organization desires to negotiate
3 concerning any matter which is subject to negotiation pursuant to this
4 chapter, it shall give written notice of such desire to the local govern-
5 ment employer. If the subject of negotiation requires the budgeting of
6 money by the local government employer, the employee organization
7 shall give such notice [at least 120 days before the date fixed by law
8 for the completion of the tentative budget of the local government
9 employer for the first period for which the required budget is to be effective.]
10 on or before December 1.

11 2. This section does not preclude, but this chapter does not require,
12 informal discussion between an employee organization and a local govern-
13 ment employer of any matter which is not subject to negotiation or con-
14 tract under this chapter. Any such informal discussion is exempt from all
15 requirements of notice or time schedule.

16 SEC. 5. NRS 288.190 is hereby amended to read as follows:

17 288.190 1. The parties shall promptly commence [negotiation and if
18 at the expiration of 45 days from the date of service of the notice
19 required by NRS 288.180] negotiations and if the date fixed by law for
20 the completion of the tentative budget of the government employer for
21 the first period for which the required budget is to be effective is reached
22 and the parties have not reached agreement, the parties or either of them
23 may so notify the board, requesting mediation and explaining briefly the
24 subject of negotiation. The board shall, within 5 days, appoint a compe-
25 tent, impartial and disinterested person to act as mediator in the nego-
26 tiation. It is the function of such mediator to promote agreement between
27 the parties, but his recommendations, if any, are not binding upon an
28 employee organization or the local government employer.

29 2. If a mediator is appointed, the board shall fix his compensation.
30 The local government employer shall pay one-half of the costs of media-
31 tion, and the employee organization or organizations shall pay one-half.

32 SEC. 6. NRS 288.200 is hereby amended to read as follows:

33 288.200 1. If at the expiration of [75 days from the date of service
34 of the notice required by NRS 288.180.] 45 days after the date on which
35 the mediator was appointed, the parties have not reached agreement, the
36 mediator is discharged of his [responsibility.] responsibilities, and the
37 parties, or either of them, [shall] may submit their dispute to a fact-
38 finding panel. Within 5 days, the local government employer shall select
39 one member of the panel, and the employee organization or organizations
40 shall select one member. The members so selected shall select the third
41 member, or if within 5 days they fail to do so, the board shall select him
42 within 5 days thereafter. The third member shall act as chairman.

43 2. The local government employer [shall pay one-half of the costs
44 of factfinding, and the employee organization or organizations shall pay
45 one-half.] and employee organization shall pay the cost of their respec-
46 tive members and each shall pay one-half of the cost of the third mem-
47 ber.

48 3. The factfinding panel shall report its findings and recommendations
49 to the parties to the dispute within [25] 45 days after its selection is

Sec. 5 NRS 288.190 L.17 delet (before negotiation. Insert (after negotiation
L.17 insert) after "and" on Line 22.
Add "If by Jan 10 (pick up all language from line 22 to 31).
Delete (line 30 & 31)

Page 3, line 33, delete lines 33 to line 49.
Page 4, delete line 1 to line 49.
Page 5, delete line 1 through line 6.

P.3 L.33 insert the following:

If the parties are unable to reach agreement, they may submit the dispute no sooner
than Feb. 20 and no later than Apr 1, or in any year in which the Legislature meets
in regular session up to 10 days after the adjournment of the Legislature Sine die,
to an impartial factfinder for his findings and recommendations. These findings and
recommendations are not binding on the parties except as provided in Sections 5 and 6.

within
5 days

"2. If the parties are unable to agree on an impartial fact-
finder, either party may request from the American Arbitration
Association a list of seven (7) potential factfinders. The
parties shall select their factfinder from this list by
alternately striking one name until the name of only one fact-
finder remains who will be the factfinder to hear the dispute
in question. The employee organization shall state the list of names.

"3. The local government employer and employee organization ^{and} each shall pay one-half of the cost of the factfinder. ^{factfinder} However, ^{each} each party shall pay its own costs of factfinding incurred in
the preparation and presentation of its case in factfinding.

"4. The factfinder shall report his findings and recommendations
to the parties to the dispute within 30 days after the conclusion
of the factfinding hearing unless the parties mutually agree
to extend this time limit.

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ON all OR ANY Specified Items

1 complete. These findings are not binding upon the parties, but if within
2 5 days after the panel has so reported the parties have not reached an
3 agreement, the panel shall make its findings public.

4 4. After [the effective date of this act] February 25, 1971, and
5 before January 1, 1972, either party to negotiations may notify the other
6 party in writing that it wishes to have the dispute submitted to factfind-
7 ing upon the adjournment of the legislature sine die. Upon receipt of such
8 notice, the operation of this section pertaining to factfinding shall be
9 stayed up to 10 days after the adjournment of the legislature sine die or
10 the certification by the state department of education of the per-pupil
11 basic support guarantee, whichever occurs first.

12 5. After January 1, 1972, in any year in which the legislature meets,
13 either party to negotiations may notify the other party in writing that it
14 wishes to have the dispute submitted to factfinding upon the adjournment
15 of the legislature sine die. Upon receipt of such notice, the operation of
16 this section pertaining to factfinding shall be stayed for salary matters only
17 up to 10 days after the adjournment of the legislature, sine die or the
18 certification by the state department of education of the per-pupil basic
19 support guarantee, whichever occurs first.

20 6. Nothing in this section shall be construed to prevent the parties
21 from mutually agreeing upon their own mediation or factfinding proce-
22 dures or waiving the same.

23 7. The parties to the dispute may agree, prior to the submission of
24 the dispute to the factfinding panel, to make its findings on all or any
25 specified issues binding upon both parties.

26 8. If a government employer and a certified bargaining organization
27 fail to reach agreement on matters subject to bargaining under this chap-
28 ter within a reasonable time as determined by the board, then, at the
29 request of either party, the issues in dispute shall be referred to arbitra-
30 tion by a neutral third party. Such third party shall be chosen by the
31 parties to the dispute. If they are unable to agree, the American Arbitra-
32 tion Association, upon the request of either party, shall furnish a list of
33 five potential arbitrators, and the parties to the dispute shall select an
34 arbitrator from such list by alternately striking the name of an arbitrator
35 so that only one remains. Costs of arbitration shall be borne equally by
36 the parties. The arbitrator's decision shall be advisory. However, the
37 parties may stipulate by mutual consent that the arbitrator's decision or
38 any part thereof shall be final and binding. If the parties' failure to agree
39 endangers the safety of the State of Nevada, or any of its political subdivi-
40 sions, the board may, after a public hearing conducted upon due notice
41 to the parties, modify the advice or decision of the arbitrator or require
42 that the arbitrator's decision or advice or any part thereof will be final
43 and binding. Such notice shall state that all or part of the arbitrator's deci-
44 sion may be final and binding. A failure to agree involving police and fire
45 protection shall be conclusive evidence of a threat to the safety of the
46 state or any political subdivision.

47 9. Any arbitrator, whether acting in an advisory or binding capacity,
48 shall announce the facts upon which he bases his advice or decision and
49 shall base his advice and decisions upon:

5 The parties to the dispute may agree, prior to the
submission of the dispute to factfinding, to make the findings
and recommendations on all or any specified issues, final
and binding on the parties.

6 If the parties do not mutually agree to make the findings
and recommendations of the factfinder final and binding, the
Governor acting as Chief Executive of the State, shall have
the emergency power and authority, at the request of either
party and prior to the submission of the dispute to factfinding,
to order that the findings and recommendations of a factfinder
in a particular dispute will be final and binding. The exercise
of this authority by the Governor shall be made on a case by
case basis and shall be made on the basis of his evaluation
regarding the overall best interests of the state and all its
citizens as well as any danger to the safety of the state or
a political subdivision.

7 Any factfinder, whether acting in a recommendatory or
binding capacity, shall announce the facts upon which he bases
his recommendations or award and shall base his recommendations
or award on the following criteria:

(a) A preliminary determination shall be made as to financial
ability of the government employer based on existing available
revenues at a property tax, fee and license structure determined
by the government employer.

g. And giving due consideration previously

(b) Once the factfinder has determined there is a current financial
ability to grant monetary benefits, in addition to those agreed
to in bargaining, he shall 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."

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1 (a) ~~The financial ability of the government employer to comply with the~~
2 ~~request of the employees and the reasonableness of such request.~~

3 (b) ~~The impact on and consistency of treatment of other employees of~~
4 ~~the local government employer.~~

5 (c) ~~The wages, salaries and benefits received by other employees in~~
6 ~~similar positions in both the public and private sector of employment.~~

7 SEC. 7. NRS 288.210 is hereby amended to read as follows:

8 288.210 1. For the purpose of investigating disputes, ~~any factfinding~~
9 ~~panel or arbitrator~~ may issue subpoenas requiring the attendance of wit-
10 nesses before ~~it or him~~, together with all books, memoranda, papers
11 and other documents relative to the matters under investigation, admin-
12 ister oaths and take testimony thereunder.

13 2. The district court in and for the county in which any investigation
14 being conducted by a factfinding ~~panel or arbitrator~~ may compel the
15 attendance of witnesses, the giving of testimony and the production of
16 books and papers as required by any subpoena issued by the factfinding
17 ~~panel or arbitrator.~~

18 3. In case of the refusal of any witness to attend or testify or produce
19 any papers required by such subpoena, the factfinding ~~panel or arbitrator~~
20 may report to the district court in and for the county in which the investi-
21 gation is pending by petition, setting forth:

22 (a) That due notice has been given of the time and place of attendance
23 of the witness or the production of the books and papers;

24 (b) That the witness has been subpoenaed in the manner prescribed in
25 this chapter;

26 (c) That the witness has failed and refused to attend or produce the
27 papers required by subpoena before the factfinding ~~panel or arbitrator~~ in
28 the investigation named in the subpoena, or has refused to answer questions
29 propounded to him in the course of such investigation,
30 and asking an order of the court compelling the witness to attend and
31 testify or produce the books or papers before the factfinding ~~panel or~~
32 ~~arbitrator.~~

33 4. The court, upon petition of the factfinding ~~panel or arbitrator,~~
34 shall enter an order directing the witness to appear before the court at a
35 time and place to be fixed by the court in such order, the time to be not
36 more than 10 days from the date of the order, and then and there show
37 cause why he has not attended or testified or produced the books or
38 papers before the factfinding ~~panel or arbitrator.~~ A certified copy of
39 the order shall be served upon the witness. If it appears to the court that
40 the subpoena was regularly issued by the factfinding ~~panel or arbitra-~~
41 ~~tor,~~ the court shall thereupon enter an order that the witness appear
42 before the factfinding ~~panel or arbitrator~~ at the time and place fixed in the
43 order and testify or produce the required books or papers, and upon
44 failure to obey the order the witness shall be dealt with as for contempt
45 of court.

46 SEC. 8. NRS 288.220 is hereby amended to read as follows:

47 288.220 The following proceedings, required by or pursuant to this
48 chapter, are not subject to any provision of chapter 241 of NRS:

49 1. Any negotiation or informal discussion between a local govern-
50 ment employer and an employee organization or employees as individuals,

1 whether conducted by the governing body or through a representative or
2 representatives.

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

5 3. Any meeting or investigation conducted by a factfinding panel [.]
6 or arbitrator.

7 SEC. 9. NRS 288.260 is hereby amended to read as follows:

8 288.260 1. If a strike or violation is commenced or continued in
9 violation of an order issued pursuant to NRS 288.240, the state or the
10 [local] government employer may:

11 (a) Dismiss, suspend or demote all or any of the employees who par-
12 ticipate in such strike [.] or violation.

13 (b) Cancel the contracts of employment of all or any of the employees
14 who participate in such strike [.] or violation.

15 (c) Withhold all or any part of the salaries or wages which would
16 otherwise accrue to all or any of the employees who participate in such
17 strike [.] or violation.

18 2. Any of the powers conferred by subsection 1 may be exercised
19 alternatively or cumulatively.

20 SEC. 10. Chapter 288 of NRS is hereby amended by adding thereto
21 the provisions set forth as sections 11 and 12 of this act.

22 SEC. 11. 1. It is a prohibited practice for a government employer or
23 its designated representative willfully to:

24 (a) Interfere, restrain or coerce any employee in the exercise of any
25 right guaranteed under this chapter.

26 (b) Dominate, interfere or assist in the formation or administration of
27 any employee organization.

28 (c) Discriminate in regard to hiring, tenure or any term or condition
29 of employment to encourage or discourage membership in any employee
30 organization.

31 (d) Discharge or otherwise discriminate against any employee because
32 he has signed or filed an affidavit, petition or complaint or given any
33 information or testimony under this chapter, or because he has formed,
34 joined or chosen to be represented by any employee organization.

35 (e) Refuse to bargain collectively in good faith with the exclusive rep-
36 resentative as required in NRS 288.150.

37 (f) Refuse to participate in good faith in the mediation, factfinding and
38 arbitration procedures set forth in NRS 288.190.

39 (g) Refuse or fail to comply with any provision of this chapter.

40 (h) Violate the terms of a collective bargaining agreement.

41 2. It is a prohibited practice for a government employee or for an
42 employee organization or its designated agent willfully to:

43 (a) Interfere with, restrain or coerce any employee in the exercise of
44 any right guaranteed under this chapter.

45 (b) Refuse to bargain collectively in good faith with the government
46 employer, if it is an exclusive representative, as required in NRS 288.150.

47 (c) Refuse to participate in good faith in the mediation, factfinding and
48 arbitration procedures set forth in NRS 288.190.

49 (d) Refuse or fail to comply with any provision of this chapter.

50 (e) Violate the terms of a collective bargaining agreement.

Page 6, line 36, after "NRS 288.150. add new sentence,
"Bargaining collectively shall be construed to include the
entire bargaining process, including factfinding, provided
for in this act."

mediation and

Page 6, line 46, after "NRS 288.150." add a new sentence,
"Bargaining collectively shall be construed to include the
entire bargaining process, including factfinding, provided
for in this act."

mediation and

- 1 SEC. 12. *Any controversy concerning prohibited practices may be*
- 2 *submitted to the board in the same manner and with the same effect as*
- 3 *provided in subsections 2 and 3 of NRS 288.110.*
- 4 SEC. 13. NRS 288.130 is hereby repealed.

Ⓢ

Sec. 13 - NRS 288.160 (Pick up whole section. Add to P.3, subsection d. to read.)

d. Fails to negotiate in good faith with the local government employers.

Sec. 14. The following definitions are added to the definitions Sec. of NRS 288.

- A. Administrative Employee. Any employee whose primary duties consist of work directly related to management policies; who customarily exercises discretion and independent judgment and regularly assists an executive. In addition, it includes the Chief Administrative Officer, his deputy and immediate assistants, department heads, their deputies and immediate assistants, attorneys, appointed officials and others who are primarily responsible for formulating and administering management policy and programs.
- B. "Supervisory employee" means any individual having authority in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or the responsibility to assign work to and direct them, or to adjust their grievances, or effectively to recommend such action, if, in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.
- C. Confidential employee. Means an employee who is privy to decisions of management affecting employee relations, including all employees of the Personnel Department.

Additional Language for Sec. 2. NRS 288.150.

Could be added to further define management rights.

Paragraph 2 - Item (d) to maintain the efficiency of its governmental operations,
including the services to be performed, the techniques,
methods, and personnel by which its operations are to be
conducted; and to establish reasonable work rules;

Paragraph 2 - Item (f) to take whatever actions may be necessary to carry out
its responsibilities in situations of emergency, i.e.,
including without limitation riots, military actions,
natural disasters, or civil disorders which may include
the suspension of any collective bargaining agreement
for the duration of the emergency situation

Paragraph 2 - Item (g) to contract and sub-contract functions and services.