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Amendment – Assembly Bill No. 65 – Committee on Government Affairs

Summary – Authorizes a framework for Employee / Management work place relations and increased productivity.

Throughout this bill the term “Collective Bargaining” shall be changed to “Discussions of work place relations.”

Throughout this bill the term “Collective Bargaining Agreement” shall be changed to “Memorandum of Understanding”

Throughout this bill the term all references to the “Board for Labor Relations for State Employees” or “Board” shall be changed to the “Employee-Management Committee”

Sec 3.6 – Change “Bargaining unit” to “Work place relations unit” and make corresponding changes throughout the bill.

Sec 3.7 – Change definition of “collective bargaining” to:

1. “Discussions of work place relations” means a method of determining working conditions by discussion between exclusive representatives of state employees and representatives of the state, entailing a mutual obligation to meet and reasonable times and discuss in good faith the working conditions of employees excluding salary or wage rates or other forms of direct monetary compensation; sick and annual leave accrual rates; designated holidays; other paid leaves; and insurance and retirement benefits. The obligation includes a requirement to develop a conflict resolution procedure to resolve employee complaints, appeals, grievances or any other question arising under the understanding reached among the parties and a requirement to execute a written agreement reflecting the understanding reached by the parties.

Sec 17-

Remove subsections 1 and 3

And add to end: “but such term does not include salary or wage rates or other forms of direct monetary compensation; sick and annual leave accrual rates; designated holidays; other paid leaves; and insurance and retirement benefits.”

Change Section 36 to the following:

“ In the event the parties to discussions of workplace relations cannot come to agreement, either party may request the assistance of an FMCS mediator. The obligation

to discuss workplace relations or participate in mediation does not compel either party to make a concession or agree to a proposal.”

Delete Sections 37 through 44

Amend Section 45 1. (b) to:

“Are otherwise within the scope of discussions of workplace relations as defined in this Act.”

Delete Section 45 1 (b) 6

Delete Section 50.

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MEMORANDUM

DATE: March 29, 2003
TO: Assemblyman Mark A. Manendo
FROM: Susan E. Scholley, ^{SES} Senior Research Analyst
Research Division
SUBJECT: Employee—State Litigation in Reference to Assembly Bill 65

You have asked for information on the cost of litigation between the State of Nevada and its employees in connection with the consideration of Assembly Bill 65 (collective bargaining for state employees).

Enclosed is a table provided by Nevada's Office of the Attorney General with information on the current cases pending between employees and the State of Nevada. According to the persons with whom I spoke at the Attorney General's office, information on closed cases is not available except by a manual search and review of stored files. The information provided in the enclosed table was compiled through a request to the deputy attorneys in the office to report on pending cases involving state employees. However, the Attorney General's office cautions that the list may not be complete and may include cases that would not be covered under the arbitration provisions in Assembly Bill 65. The total hours spent on the cases were compiled from the current record keeping system that was implemented in July 2001. Therefore, for the cases filed prior to July 2001, the number of hours in the table is an incomplete total. Due to the above limitations on the information received, care should be taken in drawing conclusions based on the table and the totals therein.

The number of hours spent from July 2001 to date for the 22 reported pending cases is 3,351 hours, representing approximately \$261,776.

If you have any questions, please do not hesitate to contact me at (775) 684-6825.

SES/jw:W33672
Enc.

STATE EMPLOYEE LAWSUITS

CASE NAME	YEAR SUIT FILED	COURT	CASE NO.	TOTAL HOURS	HOURS x \$78.00
B. James Martin v. State of Nevada, Employment Security	2002	United States District Court	CV-N-02-526-HDM	9.80	\$ 764.40
Ye Ning Johnson Blind Services	2002	United States District Court	CV-N-02-0166-DWH(VPC)	116.00	9,048.00
Joseph Gonzalez	1999	United States District Court	CV-N-99-360-DWH(RAM)	28.40	2,215.20
Deborah Aoyama	2001	8 th Judicial District Court	A440142	304.45	23,747.10
Frank Claridy	2000	United States District Court	CV-S-00-1536-KJD	585.20	45,645.60
Carmen Wingard v. Dept. of Human Resources	2002	8 th Judicial District Court	A457542	100.75	7858.50
Karla Schurin v. Child and Family Services	2002	8 th Judicial District Court	A449725	73.00	5694.00
Timothy Cunningham	2002	United States District Court	CV-S-02-1265-LRH(RJJ)	17.00	1,326.00
Samer Husein	2002	United States District Court	CV-S-02-1599(JCM)	7.00	546.00
Eric Karst	2002	8 th Judicial District Court	A45532	34.50	2,691.00
Carol Morsovillo	2000	United States District Court	CV-S-00-115-PMP(LRL)	539.50	42,081.00
Dewey Willie	2002	United States District Court	CV-N-02-0624-HDM-VPC	4.75	370.50
William Barks	2001	United States District Court	CV-N-01-0585-ECR-RAM	304.90	23,782.20
Julia Mason	2002	United States District Court	CV-N-02-0472-HDM-RAM	191.95	14,972.10
Roger Holcombe	2002	United States District Court	CV-N-02-0395-DWH(VPC)	76.20	5943.60
State of Nevada Employees Association	2002	United States District Court	CV-S-02-1720-JCM-LRL	181.20	14,133.60
Steven Braunstein	2002	United States District Court	CV-N-02-0320-ECR(RAM)	25.50	1,989.00
Joseph L. Proferes	2002	1 st Judicial District	02-01472A	69.00	5,382.00
Charles Lee	2003	8 th Judicial District Court	A460433	3.50	273.00
Sylvia Dominguez-Curry	2001	United States District Court	CV-N-01-0630-DWH-RAM	364.50	28,431.00
Charlotte "Amy" Smith	2002	United States District Court	CV-N-02-264-DWH	314.75	24,550.50
Roger Holcombe	2002	1 st Judicial District	02-01804A	3.25	253.50
Totals				3355.1	\$261,775.80