

**PROPOSED REGULATION OF THE LOCAL GOVERNMENT  
EMPLOYEE-MANAGEMENT RELATIONS BOARD**

**LCB File No. R043-13**

January 29, 2014

**NOTICE OF INTENT TO ACT UPON A REGULATION**

Notice of Hearing for the Amendment of  
Regulations of the  
**NEVADA LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT  
RELATIONS BOARD**

The Nevada Local Government Employee-Management Relations Board will hold a public hearing at **8:00 a.m. on March 11, 2014** at:

**Local Government Employee-Management Relations Board  
2501 East Sahara Avenue, Suite 203  
Las Vegas, Nevada 89104**

The purpose of the hearing is to receive comments from all interested persons regarding the adoption and amendment of permanent regulations that pertain to chapter 288 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

**1. The need for and the purpose of the proposed regulation or amendment.** The need for and the purpose of the proposed amendments are to clarify the duty of the Board to hold a runoff election, to make technical corrections to the procedural rules before the Board, to relax the requirements for filing a complaint before the Board and to make revisions that bring the Board's regulations regarding rehearing into conformity with the Administrative Procedures Act. The need for and the purpose of the proposed adoption of a new regulation are to establish a settlement conference program to facilitate a pre-hearing resolution of some prohibited labor practice complaints.

**2. A description of the subjects and issues involved:** The subject of this regulation is the duty of the Board to hold a runoff election if the results of a representative election under NRS 288.160 are inconclusive, the technical requirements for pleadings filed before the board, the rule governing rehearings and the settlement conference program proposed in the regulations contained in LCB File R043-13. Any person may obtain a copy of the proposed amendments by submitting a request in writing to the Nevada Local Government Employee-Management Relations Board, 2501 E. Sahara Ave., Ste. 203, Las Vegas, NV 89104.

**3. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:**

**(a) Both adverse and beneficial effects;** The proposed amendments are primarily directed at minor revisions in the rules of practice before the Board and will not significantly economically affect the entities regulated by the Local Government Employee-Management Relations Board either adversely or beneficially. A minor beneficial effect may be felt in the form of a slight reduction in costs and litigation expenses by eliminating the requirement that pleadings be verified, and by establishing a settlement conference intended to facilitate an earlier resolution to a prohibited labor practice complaint.

**(b) Both immediate and long-term effects.** There are no immediate or long-term economic effects.

The agency determined that there was no adverse economic impact on small businesses by determining that the agency does not directly regulate small businesses and by ascertaining that the substance of the regulations does not impose an adverse economic burden on any entity. In addition, the agency sought public input prior to conducting a workshop on the proposed regulations

**4. The estimated cost to the agency for enforcement of the proposed regulation.**

There is no estimated additional cost for the Local Government-Employee Management Relations Board to enforce the proposed amendments.

**5. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.** The proposed amendment does not overlap or duplicate any regulations of other state or local governmental agencies.

**6. If the regulation is required pursuant to federal law, a citation and description of the federal law.** The regulation is not required pursuant to federal law.

**7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.** No existing federal regulation regulates the same activity.

**8. Whether the proposed regulation establishes a new fee or increases an existing fee.** The proposed amendments do not establish a new fee or increase an existing fee.

Persons wishing to comment upon the proposed action of the Local Government Employee-Management Relations Board may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to Nevada Local Government

Employee-Management Relations Board, 2501 E. Sahara, Ste. 203, and Las Vegas, Nevada 89104. Written submissions must be received by the Local Government Employee-Management Relations Board on or before March 10, 2014. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Local Government Employee-Management Relations Board may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted will be available at the Local Government Employee-Management Relations Board, 2501 E. Sahara, Ste. 203, Las Vegas, Nevada, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request.

A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

**Carson City Library**  
900 North Roop Street  
Carson City, NV 89701

**Churchill County Library**  
553 South Maine Street  
Fallon, NV 89406

**Las Vegas-Clark County Library District**  
833 Las Vegas Blvd. North  
Las Vegas, NV 89101

**Douglas County Public Library**  
1625 Library Lane  
Minden, NV 89423

**Elko County Library**  
720 Court Street  
Elko, NV 89801

**Esmeralda County Library**  
PO Box 430  
Goldfield, NV 89013

**Eureka County Library**  
10190 Monroe Street  
Eureka, NV 89316

**Humboldt County Library**  
85 East 5th Street  
Winnemucca, NV 89445

**Battle Mountain Branch Library**  
625 South Broad Street  
Battle Mountain, NV 89820

**Lincoln County Library**  
63 Main Street  
Pioche, NV 89043

**Lyon County Library System**

20 Nevin Way  
Yerington, NV 89447

**Tonopah Public Library**

167 South Central Street  
Tonopah, NV 89049

**Storey County Public Library**

95 South "R" Street  
Virginia City, NV 89440

**White Pine County Library**

950 Campton Street  
Ely, NV 89301

**Mineral County Public Library**

110 First Street  
Hawthorne, NV 89415

**Pershing County Library**

1125 Central Avenue  
Lovelock, NV 89419

**Washoe County Library System**

301 South Center Street  
Reno, NV 89501-2102

**Nevada State Library & Archives**

100 North Stewart Street  
Carson City, NV 89701-4285

**Grant Sawyer State Building**

555 E. Washington Ave.  
Las Vegas, NV 89101  
Attn: Capitol Police

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