



**NEVADA LEGISLATURE WEEKLY UPDATE FROM:  
THE PEACE OFFICERS RESEARCH ASSOCIATION NEVADA,  
LAS VEGAS POLICE PROTECTIVE ASSOCIATION,  
THE SOUTHERN NEVADA CONFERENCE OF POLICE SHERIFFS' AND  
THE COMBINED LAW ENFORCEMENT ASSOCIATIONS OF NEVADA LOBBYISTS.**

**Week 12 Update (Early): 04-23-15**

Here are collective bargaining bills that are still out there that we are working with. Some of them have way more potential for bad things than others. We will try to give you a bit of oversight on the most important ones. I have purposely been vague as all of these issues are works in progress

Collective Bargaining - [AB182](#), [AB249](#) and [AB280](#) have all been referred to [Ways and Means](#). That means they are still alive until the end of the session. They did this by adding an amendment on all of them requiring the hiring of a deputy EMRB Commissioner. This creates a cost and allows them to put them into [Ways and Means](#). I have been told that they will all be evaluated and that the leaders will see what makes sense and what does not. The [Assembly Majority Leader](#) has been pretty upfront with us thus far and has said he does not want to create unintended consequences and also does not want to upend people's lives. I think there will be some things that move forward out of these bills but I am not sure what at this time. I will keep you posted. I believe that they will be dealt with toward the end of the session.

[AB182](#) has the following in it: Dues checkoff is allowed but members could drop out at any time and it is only a may not a shall as for employers doing it. It states the definition of supervisor for us is that anyone above the rank of Lieutenant is not in collective bargaining. It does away with binding arbitration but allows for binding fact finding if the employer chooses to do so. It does not allow for paid union leave time. No union work would be allowed to be paid for by the employer. It allows for reduction in force due to loss of revenue and it says that seniority would not be the main factor used to determine who would be laid off. No evergreen clauses would be allowed. It also provides for a 25% ending fund

balance (8% currently) that is not subject to collective bargaining. [SB241](#) basically overrides this. We believe [SB241](#) will be the prevailing bill in the end.

[AB249](#) has two main provisions. It makes a new definition for financial sustainability. It says if an arbitrator is used that they must look at the total time frame of the offers and figure out past that for 2 additional years to see if the offer is financially sustainable. It also says that an arbitrator would not be able to look at non-recurring funds, one time shots of money, health care benefits for retirees (OPEB), and workers compensation liability. An employer could put amounts for OPEB and WC on a line in the budget but would not necessarily have to spend it on that. They could pull it out and use it after the contract was settled. It also calls for the same 25% ending fund balance in reserves that was non-negotiable.

[AB280](#) essentially just says that an employer could negotiate with you if they choose to. If they choose not to, you would get the salary, benefits, and working conditions that they decided to offer.

[SB158](#) requires local governments to place our negotiations materials on line 3 days before the council votes on the agreement. We supported the bill but asked that an amendment be added to place all contracts for management (Lt.'s and above) online also before approving them. We also asked for all supporting materials for the consent agenda items to be placed online also.

[SB168](#) has two main provisions. The first allows local governments to reopen contracts if they have a 5% drop in revenues from all sources into the general fund. The second provision allows local governments to keep 25% in reserves in the general fund that are not negotiable for collective bargaining. We have submitted an amendment and hope to get it included. It would change the reopening language to say that they have to have a 4% ending fund balance AND also have to have a 10% drop in one year in property taxes, C-Taxes, and fair share money. Or a 5% drop in those funds for 2 consecutive years. This was given to use from [Beth Kohn](#) as an alternative to try to get accepted.

[SB241](#) is [Senator Roberson's](#) bill for collective bargaining. It does 3 things. It allows for us to have union business leave if we pay for it or negotiate it with a concession. The vast majority of you already have it in your contracts so you will not have to re-negotiate it as I envision it. It is already a benefit that you have secured just like sick, annual, & holiday leave. The second provision is an evergreen clause. It says if your contract expired that local government would not have to pay you any monetary increases until a new contract was in place. This

means no steps, merits, or longevity increases until a new contract was in place. Under [NRS 288.215 Sub 10](#), The arbitrator shall, within 10 days after the final offers are submitted, accept one of the written statements, on the basis of the criteria provided in [NRS 288.200](#), and shall report the decision to the parties. The decision of the arbitrator is final and binding on the parties. Any award of the arbitrator is retroactive to the expiration date of the last contract. The last provision in the bill deals with school administrators and should not really affect us.

[SB475](#) is being backed by the City of North Las Vegas to allow for local governments to declare bankruptcy if they needed to. The main reason they are seeking this is to try to get the bond holders to come to the table to negotiate lower rates. We are not in support of this bill but one thing we have in our favor is that we have one PERS system. Even if an entity declared bankruptcy they could not go back in and reduce retirees PERS benefits. They would have no control over those. On the other hand they may decide to stop paying into PERS on behalf of employees and that would mean they would not accrue service during that time. They could do that anyway without declaring bankruptcy though.

Thank You,

Scott A. Edwards

Vice President

LVPOA

702-523-4932

[sedwards@lvpoa.com](mailto:sedwards@lvpoa.com)

[www.lvpoa.com](http://www.lvpoa.com)

[www.facebook.com/LasVegasPeaceOfficersAssociation](http://www.facebook.com/LasVegasPeaceOfficersAssociation)

On behalf of our coalition,

Ron Dreher, Rusty McAllister, Tim Ross, Ryan Beaman, Marlene Lockard, Scott Edwards, Mike Ramirez, Marty Bibb, Stephen Augspurger, Lonnie Shields, Stan Olsen, Jason Soto, Pat Sanderson, Priscilla Maloney, Kevin Ranft, Julie Hittle, Fran Almaraz, Carla Fells, Alyson Kendrick, Michelle Russell, Sean Giurlani, and the entire Nevada labor movement.