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## **Public Entities, Officers, and Employees; mandatory collective bargaining**

NEV. REV. STAT. § 288.150 (amended).

AB 417 (Committee on Government Affairs); 1987 STAT. Ch 665

Under existing law, representatives of government employers<sup>1</sup> are required to negotiate mandatory subjects of bargaining<sup>2</sup> in good faith<sup>3</sup> with the designated representatives of the recognized employee organization.<sup>4</sup> Chapter 665 expands the scope of the mandatory bargaining subjects to include the materials and supplies for classrooms,<sup>5</sup> and the policies for the transfer and reassignment of teachers.<sup>6</sup> Existing law, however, specifically excludes from the scope of mandatory negotiations the right of the government employer to: (1) hire, direct, assign or transfer an employee;<sup>7</sup> (2) reduce in force or lay off any employee because of lack of work or lack of funds;<sup>8</sup> (3) determine staffing levels and work performance standards;<sup>9</sup> (4) determine the content of the work day;<sup>10</sup> (5) determine the quality and quantity of services to be offered to the public;<sup>11</sup> (6) determine the

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1. NEV. REV. STAT. § 288.060 (definition of government employers).

2. *Id.* § 288.150 2 (amended by 1987 Nev. Stat. ch. 665, sec. 1, at \_\_\_\_). Mandatory subjects of bargaining are: (1) salary rates; (2) sick leave; (3) vacation leave; (4) holidays; (5) leaves of absence; (6) insurance benefits; (7) hours of work; (8) number of days of work; (9) discharge and disciplinary procedures; (10) recognition clauses; (11) classification of employees in the bargaining unit; (12) deduction of dues for the recognized employee organization; (13) employee protection from discrimination by participation in employee organizations; (14) no-strike provisions; (15) grievance and arbitration procedures; (16) general savings clauses; (17) safety; (18) and teacher preparation time. *Id.*

3. *Id.* § 288.150 4 (amended by 1987 Nev. Stat. ch. 665, sec. 1, at \_\_\_\_) (any actions carried out by the government employer in completing its official functions during an emergency situation are considered to be good faith bargaining).

4. *Id.* § 288.150 1 (amended by 1987 Nev. Stat. ch. 665, sec. 1, at \_\_\_\_); NEV. REV. STAT. § 288.040 (definition of employee organization).

5. 1987 Nev. Stat. ch. 665, sec. 1, at \_\_\_\_ (amending NEV. REV. STAT. § 288.150).

6. *Id.*

7. NEV. REV. STAT. § 288.150 3(a) (amended by 1987 Nev. Stat. ch. 665, sec. 1, at \_\_\_\_). The right to assign or transfer an employee as a form of discipline is not excluded from mandatory negotiations. *Id.*

8. *Id.* § 288.150 3(b) (amended by 1987 Nev. Stat. ch. 665, sec. 1, at \_\_\_\_) (subject to the procedures for reduction in work force).

9. *Id.* § 288.150 3(c)(1) (amended by 1987 Nev. Stat. ch. 665, sec. 1, at \_\_\_\_).

10. *Id.* § 288.150 3(c)(2) (amended by 1987 Nev. Stat. ch. 665, sec. 1, at \_\_\_\_) (including workload factors except for safety considerations).

11. *Id.* § 288.150 3(c)(3) (amended by 1987 Nev. Stat. ch. 665, sec. 1, at \_\_\_\_). *See id.* § 288.150 5 (amended by 1987 Nev. Stat. ch. 665, sec. 1, at \_\_\_\_) (declaring the ultimate right of the government employer to manage the operation in an efficient manner).

means and methods of offering those services;<sup>12</sup> and (7) provide for the safety of the public.<sup>13</sup>

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12. *Id.* § 288.150 3(c)(4) (amended by 1987 Nev. Stat. ch. 665, sec. 1, at \_\_\_\_).

13. *Id.* § 288.150 3(d) (amended by 1987 Nev. Stat. ch. 665, sec. 1, at \_\_\_\_). *See id.* § 288.150 6 (amended by 1987 Nev. Stat. ch. 665, sec. 1, at \_\_\_\_). The government employer must discuss subject matters outside the scope of mandatory bargaining but is not required to negotiate such matters. *Id.*

