



**STATE OF NEVADA  
EMPLOYEE-MANAGEMENT COMMITTEE  
100 N. Stewart Street, Suite 200 | Carson City, Nevada 89701  
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**Meeting Minutes of the Employee-Management Committee  
April 6, 2023**

Held at the Nevada State Library and Archives Building, 100 N. Stewart St., Board Room, Carson City, Nevada, and the Grant Sawyer Building, 555 E. Washington Ave., Room 1400, Las Vegas, Nevada, via videoconference.

**Committee Members:**

<b>Management Representatives</b>	<b>Present</b>
Ms. Sandie Geyer	X
Ms. Ava Case	X

<b>Employee Representatives</b>	
Mr. Tracy DuPree – Chair	X
Ms. Turessa Russell	X
Mr. Doug Fromm	

**Staff Present:**

Ms. Lisa Evans, EMC Counsel, Deputy Attorney General (DAG)  
Ms. Roxanne Hardy, DHRM, EMC Coordinator  
Ivory Wright, DHRM, EMC Hearing Clerk

**1. Call to Order**

Chair DuPree called the meeting to order at approximately 9:10 am.

**2. Public Comment**

There was no public comment in the North or in the South.

**3. Committee introductions and meeting overview and/or update - For discussion only.**

Chair DuPree opened the meeting with Committee introductions.

**4. Adoption of the Agenda..... Action Item**

Chair DuPree requested a motion to adopt the agenda.

Member Russell motioned to adopt the agenda.

Chair DuPree seconded and asked if there was any Committee discussion, there was none.

**MOTION:** Moved to approve the agenda.  
**BY:** Member Russell  
**SECOND:** Chair DuPree  
**VOTE:** The vote was unanimous in favor of the motion.

**5. Approval of Minutes for July 23, 2020..... Action Item**

Chair DuPree stated there were many minutes to approve from past years and stated he had read them and did not see any issues.

Chair DuPree stated he would give the Committee a moment to review their notes.

Member Case moved to approve the minutes; Member Russell seconded.

There was no discussion.

**MOTION:** Moved to approve minutes for July 23, 2020.  
**BY:** Member Case  
**SECOND:** Member Russell  
**VOTE:** The vote was unanimous in favor of the motion.

**6. Approval of Minutes for August 19, 2021..... Action Item**

Member Russell moved to approve the minutes; Chair DuPree seconded.

There was no discussion.

**MOTION:** Moved to approve minutes for August 19, 2021.  
**BY:** Member Russell  
**SECOND:** Chair DuPree  
**VOTE:** The vote was unanimous in favor of the motion.

**7. Approval of Minutes for February 10, 2022..... Action Item**

Member Case moved to approve the minutes; Member Russell seconded.

There was no discussion.

**MOTION:** Moved to approve minutes for February 10, 2022.  
**BY:** Member Case  
**SECOND:** Member Russell  
**VOTE:** The vote was unanimous in favor of the motion.

**8. Approval of Minutes for May 12, 2022..... Action Item**

Member Russell moved to approve the minutes; Member Case seconded.

There was no discussion.

**MOTION:** Moved to approve minutes for May 12, 2022.  
**BY:** Member Russell  
**SECOND:** Member Case  
**VOTE:** The vote was unanimous in favor of the motion.

**9. Approval of Minutes for January 26, 2023..... Action Item**

Member Case moved to approve the minutes; Member Russell seconded.

There was no discussion.

**MOTION:** Moved to approve minutes for January 26, 2023.  
**BY:** Member Case  
**SECOND:** Member Russell  
**VOTE:** The vote was unanimous in favor of the motion.

**10. Approval of Minutes for March 23, 2023..... Action Item**

Member Russell moved to approve the minutes; Member Case seconded.

There was no discussion.

**MOTION:** Moved to approve minutes for March 23, 2023.  
**BY:** Member Russell  
**SECOND:** Member Case  
**VOTE:** The vote was unanimous in favor of the motion.

**11. Discussion and possible action related to Grievance #9309 Vironica Banks, Department of Corrections ..... Action Item**

Chair DuPree stated this was a request for consideration to determine if the grievance can be answered without a hearing based on EMC previous decisions or does not fall within the EMC's jurisdiction.

Chair DuPree opened the Committee for discussion.

Chair DuPree stated everything the grievant referenced pertained to the Americans with Disabilities Act (ADA), failure to accommodate, which is a federal thing and wanting the agency to move the grievant to another position.

Chair DuPree stated the EMC had long established the Committee cannot direct an agency to move people into ADA positions.

Chair DuPree asked if there were any thoughts or discussion from the Committee; there was none.

Chair DuPree asked if the Committee was ready to make a motion.

Member Case asked for clarification on if the Committee cannot hear the grievance on the Family Medical Leave Act (FMLA) piece, how does the Committee motion.

Chair DuPree stated he felt the Committee lacked the ability to do anything about the grievance and therefore, the hearing should be denied.

Member Russell stated she agreed there was nothing the Committee could do but was pensive about denying the grievance solely because the Committee couldn't do anything.

Chair DuPree stated he agreed but didn't see where the Committee could provide any resolution and there was nothing the Committee could help with.

Chair DuPree stated he did not want to hear part of the grievance knowing the Committee couldn't do anything, get the grievant's hopes up to say "we (the Committee) agree with you".

Chair DuPree stated that may come across as upholding the grievance when, in fact, the Committee can't.

Chair DuPree stated he understood the grievant is in pain and should be addressed but did not believe the EMC was the venue to hear it.

Ms. Nora Johnson, Personnel Analyst with the Division of Human Resource Management (DHRM) stated this was a grievance where should the Committee determine they lack jurisdiction, in the

determination letter sent to the grievant, EMC support staff could put the qualifier that relief may be provided in another venue.

Ms. Johnson stated given the ADA and FMLA pieces the Committee couldn't hear, that language would let the grievant know there could be relief without the Committee crossing a line of offering legal advice.

Member Geyer motioned to deny a hearing for grievance #9309 based on the Committee's lack of jurisdiction with the additional language in the determination letter indication there may be other avenues the grievant could seek out.

Member Russell seconded.

Chair DuPree reread the motion and asked if there was any Committee discussion; there was none.

**MOTION:** Moved to deny hearing for grievance #9309 based on lack of jurisdiction and relief may be provided in another venue.

**BY:** Member Geyer

**SECOND:** Member Russell

**VOTE:** The vote was unanimous in favor of the motion.

**12. Discussion and possible action related to Grievance #9317 Kameron Pratt, Department of Corrections ..... Action Item**

Chair DuPree stated this was a request for consideration to determine if the grievance can be answered without a hearing based on EMC previous decisions or does not fall within the EMC's jurisdiction.

Chair DuPree opened the Committee for discussion.

Member Russell stated hostile work environment and retaliation are not within the Committee's jurisdiction and wondered if there was something she was missing regarding this grievance.

Chair DuPree stated he thought the same thing and asked if the members had any thoughts.

Member Case agreed that was how she read the grievance.

Chair DuPree asked if anyone was ready to make a motion.

Member Case motioned to deny a hearing for grievance #9317 based on lack of jurisdiction and relief may be provided in another venue.

Member Russell seconded.

Chair DuPree asked if there was any Committee discussion; there was

none.

**MOTION:** Moved to deny hearing for grievance #9317 based on lack of jurisdiction and relief may be provided in another venue.

**BY:** Member Case

**SECOND:** Member Russell

**VOTE:** The vote was unanimous in favor of the motion.

**13. Discussion and possible action related to Grievance #9237 Nadezda Vasheko, Department of Taxation .....Action Item**

Chair DuPree stated this was a request for consideration to determine if the grievance can be answered without a hearing based on EMC previous decisions or does not fall within the EMC's jurisdiction.

Chair DuPree opened the Committee for discussion.

Member Geyer stated since this grievance was regarding an oral warning/written reprimand, this grievance would fall under the Committee's jurisdiction.

Chair DuPree stated he agreed, the Committee should hear this grievance and asked Member Geyer if that was a motion.

Member Geyer motioned to move grievance #9237 to hearing.

Member Russell seconded.

Chair DuPree asked if there was any Committee discussion; there was none.

**MOTION:** Moved to grant hearing for grievance #9237.

**BY:** Member Geyer

**SECOND:** Member Russell

**VOTE:** The vote was unanimous in favor of the motion.

**14. Discussion and possible action related to Grievance #9292 Francis Kim, Department of Health and Human Services ..... Action Item**

Chair DuPree stated this was a request for consideration to determine if the grievance can be answered without a hearing based on EMC previous decisions or does not fall within the EMC's jurisdiction.

Chair DuPree opened the Committee for discussion.

Chair DuPree stated this grievance needed a hearing.

Member Russell stated she was in agreement the grievance should be

heard in reference to the written reprimand, however, retaliation was not within the Committee's jurisdiction and relief could be sought out in a different venue.

Ms. Johnson, DHRM, stated EMC support staff could include language in the determination letter notifying both parties only issues regarding the written reprimand will be heard and relief for the issues outside the Committee's jurisdiction may be provided in another venue.

Member Russell thanked Ms. Johnson and stated she wanted to make sure the language was correct in the motion.

Member Geyer asked Ms. Johnson when hearing packets are being prepared by the parties, are there instructions with regards to only providing documents and supporting materials for the written reprimand and not to include things pertain to retaliation.

Ms. Johnson stated the language added to the determination letter "only issues regarding the written reprimand will be heard and relief for the issues outside the Committee's jurisdiction may be provided in another venue" was very specific and would be bold, italicized font.

Ms. Johnson stated if either party submits packets that go outside of the scope of what the Committee deemed their jurisdiction, once scheduled for hearing, that could be addressed at the beginning of the hearing during packet objections and those materials removed prior to becoming a matter of public record.

Member Geyer thanked Ms. Johnson and stated she did not want the Committee to be bogged down with additional documents that are outside the scope of their jurisdiction.

Ms. Johnson stated she would hope the instructions could be followed but reiterated they can be removed with the packet objections at hearing.

Chair DuPree asked if there was a motion.

Member Geyer motioned to move grievance #9292 to hearing with only the issues regarding the written reprimand being heard as the other issues in the grievance are outside of the Committee's jurisdiction.

Member Russell seconded.

Chair DuPree asked if there was any Committee discussion; there was none.

**MOTION:** Moved to grant hearing for grievance #9292 hearing with only the issues regarding the written reprimand being heard as the other issues in the grievance are outside of the Committee's jurisdiction.

**BY:** Member Geyer  
**SECOND:** Member Russell  
**VOTE:** The vote was unanimous in favor of the motion.

**15. Public Comment**

There was no public comment in the North or in the South.

**16. Adjournment**

Chair DuPree adjourned the meeting at approximately 9:34 a.m.