



STATE OF NEVADA
EMPLOYEE-MANAGEMENT COMMITTEE
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Meeting Minutes of the Employee-Management Committee
October 9, 2014

Held at the Bryan Building, 901 S. Stewart St., Tahoe Conference Room, Carson City, Nevada, and the Grant Sawyer Building, 555 E. Washington Ave., Room 1400, Las Vegas, Nevada, via videoconference.

Committee Members:

Management Representatives	Present
Mr. Mark Evans—Chair	X
Ms. Mandy Payette—Co-Vice-Chair	
Ms. Bonnie Long	
Ms. Claudia Stieber	X
Ms. Allison Wall	
Ms. Michelle Weyland	X
Employee Representatives	
Ms. Stephanie Canter—Co-Vice-Chair	X
Ms. Donya Deleon	
Mr. Tracy DuPree	X
Mr. David Flickinger	
Ms. Turessa Russell	X
Ms. Sherri Thompson	

Staff Present:

Mr. Greg Ott, EMC Counsel, Deputy Attorney General
Ms. Carrie Lee, EMC Coordinator
Ms. Jocelyn Zepeda, Hearing Clerk

- 1. Chair Mark Evans:** Called the meeting to order at approximately 9:00 a.m.

2. Public Comment

There were no comments from the audience or from the Committee Members.

3. Adoption of the Agenda – Action Item

Chair Evans requested a motion to adopt the agenda.

MOTION: Moved to approve the adoption of the agenda.
BY: Committee Member Tracy DuPree
SECOND: Committee Member Claudia Stieber
VOTE: The vote was unanimous in favor of the motion.

4. Approval of Minutes for July 17, 2014 – Action Item

Chair Evans requested a motion to approve the minutes.

MOTION: Moved to approve the minutes.
BY: Committee Member Michelle Weyland
SECOND: Committee Member Tracy DuPree
VOTE: The vote was unanimous in favor of the motion.

5. Discussion and possible action related to motion to dismiss of Grievance of Lisbet Sherwood, submitted by the Office of the Attorney General, supporting documentation, and related oral argument, if any – Action Item

A Motion to Dismiss was filed with the Employee-Management Committee (“EMC”) by the agency employer Office of the Attorney General. The Office of the Attorney General was represented by Chief Deputy Attorney General Ann McDermott (“Ms. McDermott”). Lisbet Sherwood (“Ms. Sherwood” or “Grievant”) was present in proper person. Karen Dickerson (“Ms. Dickerson”), a friend of the Grievant, was present to assist Ms. Sherwood.

Ms. McDermott argued that the grievance had been resolved because the requests Ms. Sherwood made in her grievance: to have a written warning issued May 21, 2014, removed from her personnel file; to be permitted to review her own personnel file; and to be reassigned to another supervisor, had all been resolved. Ms. McDermott asserted the Grievant was looking for a clean slate and that was what had been provided.

Ms. Dickerson argued that it was undisputed that Ms. Sherwood did make the requests Ms. McDermott described and they were fulfilled however the remaining point of contention was Ms. Sherwood’s assertion that the grievance issue had been perpetuated in a statement made by Assistant Attorney General Keith Munro (“Mr. Munro”) in his response to Ms. Sherwood’s grievance. Ms. Sherwood stated she interpreted Mr. Munro’s response to mean that she was still being required to provide a doctor’s note for sick leave which is not approved FMLA. Ms. Dickerson stated if Ms. McDermott could firmly state that Ms. Sherwood would not have to suffer the requirement made in Mr. Munro’s

response and would not be in violation of NAC 284.566, that Ms. Sherwood would be satisfied to dismiss the action.

Ms. McDermott argued that nowhere in Mr. Munro's response did it say what Ms. Sherwood was suggesting and that Ms. Sherwood was misrepresenting Mr. Munro's response. Ms. McDermott further argued that the requirement for Ms. Sherwood to provide a doctor's note for days in which she called out sick had been established in the written warning issued May 21, 2014, and had been removed from Ms. Sherwood's file thereby removing the requirement.

Ms. Sherwood clarified that she would withdraw her grievance if, regardless of how Mr. Munro wrote his response, going forward with a clean slate, if a situation were to occur where she had been out on one day of sick leave, that she would not be required to provide a doctor's note for the absence.

In response to Chair Evans, Ms. McDermott confirmed that they were at an understanding and that it was the position of the Office of the Attorney General that the grievance had been resolved.

Chair Evans stated the grievance had been withdrawn. He also stated that if any further issues were to arise on the matter, Ms. Sherwood could bring it back to the EMC for resolution.

6. Public Comment

There were no comments from the audience or Committee members.

7. Adjournment

Chair Evans requested a motion to adjourn.

MOTION: Moved to adjourn.
BY: Committee Member Tracy DuPree
SECOND: Co-Vice-Chair Stephanie Canter
VOTE: The vote was unanimous in favor of the motion.