

# BOARD OF REGENTS

## BRIEFING PAPER

### 1. AGENDA ITEM TITLE: Nevada State University Collective Bargaining Election

MEETING DATE: March 6-7, 2025

### 2. BACKGROUND & POLICY CONTEXT OF ISSUE:

Chancellor Patricia Charlton has received a representative application from the Nevada Faculty Alliance (NFA) seeking to represent eligible faculty at the Nevada State University (NSU) in collective bargaining. Chancellor Charlton has reviewed the application, verified that it meets the requirements set forth in the NSHE *Handbook*, Title 4, Chapter 4, Section 5, and has placed this application on the Board of Regents agenda as required by Title 4, Ch. 4, Sec. 6.1.

Title 4, Chapter 4, Section 6 provides the following:

1. Upon verification by the Chancellor that the above requirements have been met, the Chancellor shall place the application for recognition on the agenda as an action item of the next regularly scheduled meeting of the Board of Regents. The Board of Regents shall at that meeting provide for the American Arbitration Association to conduct an election in accordance with its rules. The election by secret ballot among the employees for whom representation is sought shall be held no sooner than 15 calendar days and no longer than 30 calendar days from the date of the Board of Regents meeting at which the request was presented.
2. Ballots for the election shall be mailed to all eligible professional employees for the bargaining unit involved. The professional employees receiving the ballots shall be given the option, to be stated on the ballot, of casting their votes either by return mail or in person at designated voting locations and at designated times and dates.

### 3. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

In compliance with *Handbook* Title 4, Ch. 4, Sec. 6.1, Chancellor Patricia Charlton has placed this application on the Board of Regents agenda for the Board to:

1. recognize the application submitted by the Nevada Faculty Alliance to seek status as the certified representative of a bargaining unit of eligible professional employees employed by NSU, and
2. provide for the American Arbitration Association (AAA) to conduct an election in accordance with its rules and in compliance with *Handbook* Title 4, Ch. 4.

### 4. IMPETUS (WHY NOW?):

Approval is needed at this meeting so the election may take place before the end of the academic year while faculty are still present.

### 5. CHECK THE NSHE STRATEGIC PLAN GOAL THAT IS SUPPORTED BY THIS REQUEST:

- ☐ Access (Increase participation in post-secondary education)
- ☐ Success (Increase student success)
- ☐ Close the Achievement Gap (Close the achievement gap among underserved student populations)
- ☐ Workforce (Collaboratively address the challenges of the workforce and industry education needs of Nevada)
- ☐ Research (Co-develop solutions to the critical issues facing 21<sup>st</sup> century Nevada and raise the overall research profile)
- Not Applicable to NSHE Strategic Plan Goals

### INDICATE HOW THE PROPOSAL SUPPORTS THE SPECIFIC STRATEGIC PLAN GOAL

### 6. BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

- The Nevada Faculty Alliance application to represent eligible employees at NSU in collective bargaining has been verified by the Chancellor.
- The Handbook, Title 4, Chapter 4, Section 6 requires that the Board provide for a collective bargaining election to be conducted by the AAA.
- Approval at this time will allow the election to occur before the end of the academic year while faculty are still present on campus.

**7. POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:**

None

**8. ALTERNATIVE(S) TO WHAT IS BEING REQUESTED/RECOMMENDED:**

None

**9. RECOMMENDATION FROM THE CHANCELLOR'S OFFICE:**

The Chancellor's Office recommends recognition of the NFA's application and provision for the AAA to conduct an election.

**10. COMPLIANCE WITH BOARD POLICY:**

☒ Consistent With Current Board Policy: Title # 4 Chapter # 4 Section # 6

☐ Amends Current Board Policy: Title # \_\_\_\_\_ Chapter # \_\_\_\_\_ Section # \_\_\_\_\_

☐ Amends Current Procedures & Guidelines Manual: Chapter # \_\_\_\_\_ Section # \_\_\_\_\_

☐ Other: \_\_\_\_\_

☐ Fiscal Impact: Yes x No \_\_\_\_\_

Explain: The exact fiscal impact is unknown at this time. However, costs for the election, legal fees for contract negotiations, personnel for labor relations and contract adherence and associated expenses for contract implementation will exceed \$25,000 per year.

# Nevada System of Higher Education

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February 21, 2025

## VIA U.S. MAIL/EMAIL

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Reese Ring Velto  
3100 W. Charlton Blvd., Suite 208  
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**Re: Application of the Nevada Faculty Alliance – Nevada State University  
Chapter for Recognition as Bargaining Representative of Professional  
Employees Employed by Nevada State University**

Dear Mr. Ring,

As of today's date, I have verified that the requirements set forth in *Title 4, Ch. 4, Sec. 5* have been met. I will request that the Nevada Faculty Alliance – Nevada State University Chapter's application for recognition as bargaining representative of professional employees employed by Nevada State University be placed on the next regularly scheduled meeting of the Board of Regents, which is scheduled for **March 6-7, 2025**.

At that Board meeting, the Board shall "provide for the American Arbitration Association to conduct an election in accordance with its rules. The election by secret ballot among the employees for whom representation is sought shall be held no sooner than 15 calendar days and no longer than 30 calendar days from the date of the Board of Regents meeting at which the request was presented." *Title 4, Ch. 4, Sec. 6*.

Thank you,

Patricia Charlton  
Chancellor  
Nevada System of Higher Education



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January 24, 2025

VIA U.S. MAIL/EMAIL

Chancellor Patty Charlton  
Nevada System of Higher Education  
4300 S. Maryland Pkwy.  
Las Vegas NV, 89119-7530  
*pcharlton@nshe.nevada.edu*

**Re: Application of the Nevada Faculty Alliance- Nevada State University Chapter for Recognition as Bargaining Representative of Professional Employees Employed by Nevada State University**

Dear Chancellor Charlton,

Please be advised that this law office and the undersigned have been retained as counsel by the Nevada Faculty Alliance-Nevada State University Chapter ("NFA-NSU") with regarding to the above-referenced matter. Under Title 4, Chapter 4 of the Board of Regents Handbook, professional employees employed by a Nevada System of Higher Education ("NSHE") institution are permitted to join employee organizations, create bargaining units, and engage in collective bargaining with institutions through a certified bargaining representative.

The Handbook at Title 4, Chapter 4, Section 5 sets out a list of requirements for an employee organization to seek status as the certified representative of a bargaining unit of professional employees of NSHE. "Professional employee" is defined within this Chapter of the Handbook as "any employee issued a contract or letter of appointment by a member institution or unit of the System for employment in the professional service of the System for a period exceeding six months at .50 FTE or more, but excluding adjunct faculty members, administrators and clinical faculty members."

NFA-NSU is filing this application with your office seeking certification as representative of the professional employees employed at Nevada State University f/k/a Nevada State College. Section 5 requires the following five items from an employee organization:

- a. A copy of its articles of incorporation;
- b. A copy of its bylaws;

- c. A roster of its officers and representatives, including name, address, and official function or title;
- d. Identification of the unit sought for representation; and
- e. Signed evidence of interest in being represented by the employee organization from no less than 30 (thirty) percent of all of the eligible professional employees contained in the unit.

NFA-NSU presents the following responses, evidence and exhibits in support of each of these five requirements:

- a. Attached hereto as **Exhibit A** is a true and correct copy of the Nevada Faculty Alliance Articles of Incorporation
- b. Attached hereto as **Exhibit B** is a true and correct copy of the NFA-NSU bylaws<sup>1</sup> and the NFA bylaws.
- c. The roster of the current officers of the Nevada Faculty Alliance and a roster of the officers of NFA-NSU are as follows:

NFA:

President: Jim New

Vice President: Vacant

Treasurer: Cheryl Cardoza

Secretary: Joey Ray

Immediate Past President: Kent Ervin

NFA-NSU:

President: Pete Martini

Vice President of Membership & Organizing: Andrew Lavengood

Vice President of Communications: Amanda Carter

Secretary: Griselda Wille

Immediate Past President: Leila Pazargadi

The NFA and NFA-NSU contact address for each officer is the following:

840 S. Rancho Drive

Suite 4-571

Las Vegas, NV 89106

- d. The unit sought for representation is any employee issued a contract or letter of appointment by Nevada State University for employment in the professional service of the System for a period exceeding six months at .50 FTE or more, but excluding adjunct faculty members, administrators and clinical faculty members
- e. Attached hereto as **Exhibit C** are true and correct copies of signed authorization cards to represent employees in the proposed bargaining

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<sup>1</sup> Please note that these bylaws still refer to the organization as the Nevada State College Chapter because the name has not been changed since the institution changed its name on July 1, 2023.

unit. These cards total over seventy-percent (70%) of the bargaining units members.

Our office and NFA will supply the original signed representation cards to your office for review and certification purposes next week. NFA looks forward to being recognized as the bargaining representative for the above-described unit following verification, presentation, and approval at the March regularly scheduled Board of Regents meeting and the election required by the applicable Handbook sections. NFA looks forward to a harmonious working relationship with NSHE and the College just as it has maintained on other NSHE campuses.

Should you have any questions concerning the correspondence, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Nate Ring", with a stylized, flowing script.

Nate Ring, Esq.

Enclosures: As stated

cc: Berna Rhodes-Ford, Esq. (via email)