Office of the Governor

June 16, 2023

The Honorable Francisco Aguilar
Nevada Secretary of State
101 North Carson Street
Carson City, Nevada 89701

Re: Assembly Bill 224 of the 82nd Legislative Session

Dear Secretary of State Aguilar:

I am forwarding to you, for filing within the time limit set forth in the Nevada Constitution and without my approval, Assembly Bill 224 ("AB 224"), which is titled as follows:

> AN ACT relating to collective bargaining; authorizing collective bargaining for certain state employees; providing for the recognition of professional organizations; providing for the establishment of bargaining units and the designation of exclusive representatives; establishing certain rights for professional organizations and professional employees; establishing procedures for collective bargaining and for making collective bargaining agreements; authorizing the Government Employee-Management Relations Board to collect certain fees; prohibiting certain practices relating to collective bargaining; authorizing a state professional employer to use the services of the Division of Human Resource Management of the Department of Administration and the Attorney General for certain purposes; authorizing the Board of Regents of the University of Nevada to conduct collective bargaining negotiations and enter into collective bargaining agreements with certain employees; providing a civil penalty; making appropriations; and providing other matters properly relating thereto.

The Board of Regents of the Nevada System of Higher Education already has the ability to collectively bargain, and in fact has multiple executed collective bargaining agreements currently. The provisions of Assembly Bill 224 constitute a significant expansion of the system the Board has already created for itself, and as a Constitutionally created body to oversee the system, the Board should be given deference in its policies and procedures for bargaining with its employees.

AB224 expands collective bargaining for professional employees within NSHE, including primarily unclassified employees. I have vetoed other legislation from this session expanding collective bargaining to unclassified state employees, and AB224 takes this expansion even further by
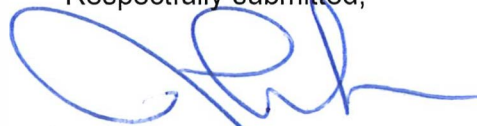
including in the definition of professional employee part time and seasonal faculty who work at least 90 days a year. This expansion would capture employees currently considered at-will, teaching as few as one course per semester.

This bill also does not recognize important management rights that are reserved for other employers under NRS288, such as the right to determine appropriate staffing levels and work performance standards, except for safety considerations. The right to determine means and methods of providing services to the public is also subject to bargaining in this legislation, however that is the core mission of the system and should be reserved for management.

Management dynamics of a complex institution are also undermined through AB224's requirement for arbitration of grievances, rather than utilizing the long-standing process developed through the shared-governance system that incorporates the voices of faculty senates throughout the system.

For these reasons, I veto this bill and return it to you without my signature or approval.

Respectfully submitted,

JOE LOMBARDO
Governor of Nevada

Enclosure

cc: The Honorable Stavros Anthony, President of the Senate (without enclosure)
     The Honorable Nicole Cannizzaro, Senate Majority Leader (without enclosure)
     The Honorable Steve Yeager, Speaker of the Assembly (without enclosure)
     Brendan Bucy, Secretary of the Senate (without enclosure)
     Susan Furlong, Chief Clerk of the Assembly (without enclosure)
     Brenda Erdoes, Esq., Legislative Counsel Bureau, Director (without enclosure)
     Bryan Fernley, Esq., Legislative Counsel (without enclosure)