



MINUTES
STATE OF NEW MEXICO
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Peggy Nelson, Board Chair

Regular Meeting

Tuesday, July 2, 2024, 10:00 a.m.

2929 Coors Blvd. NW, Suite 303, Albuquerque, NM 87120

1. **Call to Order.** Chair Nelson called the meeting to Order at 10:05 a.m. Vice-Chair Myers was also present, and Member Nash appeared telephonically.
2. **Approval of Agenda.** Member Nash moved to approve the agenda. The motion was seconded by Vice-Chair Myers and carried unanimously upon a roll call vote.
3. **Approval of May 24, 2024, Meeting Minutes.** Vice-Chair Myers moved to approve the May 24, 2024 minutes. The motion was seconded by Member Nash and carried unanimously upon a roll call vote.
4. **Public Comments.** Pilar Vaile complimented the Board on changes to the office layout that occurred since her time on the Board and as its Deputy Director some years ago.
5. **Voluntary Dismissals:** *AFSCME 3882 v. WNMU*; PELRB 101-24 and *CWA v. Roswell Independent School District*; PELRB 106-24. The Executive Director stated he had dismissed these case as a result of settlements reached prior to a hearing being convened. Therefore, no action by the Board is called for, and the dismissals are presented for the Board's information only.
6. **Summary Dismissals.**
 - a. *UE Local 1466 v. UNM Board of Regents*; PELRB 108-24. The Executive Director explained that the Complaint was based on a misinterpretation of comments from the University management in a presentation, which did not amount to a prohibited practice; he therefore dismissed the case and neither party requested Board review. Chair Nelson moved to approve the dismissal; Vice-Chair Myers seconded the motion and it carried unanimously upon a roll call vote.
 - b. *PFUSE & Peñasco Independent School District*; PELRB 308-24. The Executive Director explained that the Petition for clarification was dismissed because clarification was not appropriate given the underlying facts. Member Nash moved to approve the dismissal; Vice-Chair Myers seconded the motion and it carried unanimously upon a roll call vote.
7. **Amended Certifications:** *AFSCME & NMDOT*, PELRB 314-24; *AFSCME & NMPRC*, PELRB 315-24; and *AFSCME & Sandoval County*; PELRB 316-24. The Executive Director explained that he had received three joint petitions for clarification and issued Amended Certifications after determining that the clarifications were appropriate. Chair Nelson moved to

approve the Amended Certifications. Vice-Chair Myers seconded the motion and it carried unanimously upon a roll call vote.

8. **Initiation of Rulemaking Process.** After receiving advice from counsel, the Chair invited a motion. Vice-Chair Myers moved to direct staff to proceed with initiating the rulemaking process for NMAC 11.21.1.17. The motion was seconded by Member Nash and carried unanimously upon a roll call vote.

Vice-Chair Myers moved to direct staff to proceed with initiating the rulemaking process for NMAC 11.21.2.37. The motion was seconded by Member Nash and carried unanimously upon a roll call vote.

9. **Executive Director Applicant Interviews.** The Executive Director explained that several applicants had withdrawn their applications, and the Board had suspended the interviews to allow time to increase the number of applicants to select from. He informed the Board that one of the applicants, Pilar Vaile, was present, but recommended waiting to interview her until the new application window had closed. The Board stated their consensus was to postpone the interviews. The Executive Director was instructed to solicit further applications. Member Nash clarified that applicants need not re-submit an application already submitted. Chair Nelson moved to re-open the application period until September 13, 2024 and conduct interviews at the October 7, 2024 meeting. Vice-Chair Myers seconded the motion and it carried unanimously upon a roll call vote.

10. **Pending Litigation** Chair Nelson moved that the Board go into executive session pursuant to section 10-15-1(H)(7) of the Open Meetings Act, to discuss Item 10 on the agenda; the motion was seconded by the Member Nash and carried unanimously upon a roll call vote. The Board went into closed session at 10:30 a.m.

At 11:30 a.m. the Chair moved that the Board go back into regular session pursuant to sections 10-15-1(I)(l) and 10-15-1(J) and stated that the only matters discussed in the closed executive session was Item 10 on the agenda. Vice-Chair Myers seconded the motion and the motion was carried unanimously upon a roll call vote. The Board resumed open session at 11:30 a.m.

11. **Director's Reports** CFO Tanya Ramirez presented the Board with a report on the end of FY24 and the beginning of FY25. FY24 ended under budget and a reversion of approximately \$7,800 would go back to the general fund. The FY24 audit was scheduled to begin with an entrance conference on July 16, 2024. The Executive Director asked if the Chair or another Board member would be able to attend. The Chair stated her willingness to attend. The CFO asserted she would make the arrangements for an online meeting.

12. **Adjournment.** After a discussion regarding the times and places of future meetings and the necessity for in-person meetings, the next meeting date was set for 9:00 a.m. on August 6, 2024, to be held at the Board's offices in Albuquerque. Vice-Chair Myers moved to adjourn. The

motion was seconded by Member Nash and carried unanimously upon a roll call vote. The time was 11:50 a.m.

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