



**STATE OF NEW MEXICO  
PUBLIC EMPLOYEE LABOR RELATIONS BOARD**

**Minutes of Board Meeting held Monday, November 2, 2015, at the PELRB offices, 2929  
Coors Blvd. NW, Albuquerque, New Mexico; Chair Duff Westbrook, presiding.**

1. **Call to Order.** Chair Westbrook called the meeting to order at 9:36 a.m. Mr. Westbrook and Mr. Bartosiewicz both appeared via a telephone conference call, as did the Board's legal counsel, Jennifer Salazar. Mr. Bledsoe appeared in person.
2. **Approval of Agenda.** Before polling the Board's members on approval of the Agenda, Director Griego informed the Chair that he had received via e-mail that morning a request to address whether more details should be included in the minutes concerning discussion at the October meeting of a legal memorandum submitted to the Board by its attorney. He suggested that, given the nature of the request, the Board may want to consider changing the order in which agenda items are taken up so that they may hear public comment prior to approval of October meeting minutes. Chair Westbrook moved to amend the Agenda to hear public comment before approval of the October minutes. His motion was seconded by Board member Bledsoe. After a 3-0 roll call vote the agenda was amended as stated and approved.
3. **Public Comments.** Dina Holcomb addressed the Board concerning the absence in the October meeting minutes of anything specific regarding Mr. Richard Branch's representation during his argument in the Board's review of *AFSCME, Council 18 v. New Mexico Department of Workforce Solutions*, PELRB 114-15, that the Board's legal counsel's research revealed that the Board does not have authority to issue injunctions. Ms. Holcomb opined that it is important to include this information in the minutes in as much as she recalls the research having been referenced in an open meeting but cannot find a reference to such public disclosure in any of the Board's records. The Board's legal counsel expressed her opinion that her research on the issue of injunctions was, and remains a matter of attorney-client privilege. Chair Westbrook expressed his opinion that whether or not the Assistant Attorney General's legal opinion was made public is not relevant because the Board has ruled the way that it did on that issue and he assumes the matter will be taken up by the District Court and the Court will make whatever ruling it will, which will then become the law. Chair Westbrook asked whether there was any further public comment. There being none, he called the next agenda item, approval of the October 7, 2015 meeting minutes.
4. **Approval of October 7, 2015 meeting minutes.** Chair Westbrook moved to approve the draft minutes of the October 7, 2015 meeting without modification. Member Bledsoe seconded the motion. After a roll call vote the motion passed 3-0.
5. **Amended Certification of Representation; NMCP SO and the County of Santa Fe, PELRB 304-12.** Director Griego informed the Board that during a recent merits hearing in another case, he learned that in 2012, a certificate of representation describing the bargaining

unit at the Santa Fe County Detention Center after the Board Ordered accretion of Sergeants into an existing unit, had not been issued. Therefore he was requesting approval of such a certification now, so that the record is complete. Rachel Brown, Santa Fe County Attorney, addressed the Board on this issue. Although she had no objection to issuing a certification she wanted it to reflect the name of the bargaining representative as it was originally recognized – “Consolidated Public Safety Officers/Communication Workers of America, Local 7911”. Mr. Griego stated that he believed that he did have the name of the Petitioner correct on the Certification but said that he will meet with Ms. Brown to review the file and make sure what the name of the petitioning organization is on the original petition and original certification. Member Bledsoe moved to table the issue until the next meeting or the meeting thereafter. The motion was seconded by Chair Westbrook. After a roll call vote the motion passed 3-0.

6. **Approval and Ratification of Default Order and Notice to Employees of Violation In re: Central Consolidated School District v. Central Consolidated Education Association; PELRB 109-15.** Director Griego told the Board that this matter was again on the agenda having previously been on earlier agendas because at those earlier Board meetings an Order entering default and a form of Notice of the default had not yet been drafted. Now, because the form of Order now drafted indicates that the Board “approves” the Director’s entry of default, our legal advisor suggests that a vote should be taken to formally approve the default as stated in the Order. Member Bledsoe moved to approve the Order, which motion was seconded by Chair Westbrook. After a roll call vote the motion passed 3-0.
7. **AFSCME, Council 18 v. New Mexico Department of Workforce Solutions; PELRB 114-15.** Director Griego informed the Board that this matter was before them for information only; the parties have settled their dispute and entered into an agreement calling for the withdrawal of this PPC. No Board action was required and following the entry of a Voluntary Dismissal he would be closing the case.
8. **Approval and Ratification of Procedures Manual; Sections 1-4.** Director Griego informed the Board that he has completed drafting an internal procedures manual but for formatting the pages and would be submitting a few sections at a time at the next several Board meetings for their approval. Chair Westbrook said that he would like more time to examine the draft procedures more carefully. Both member Bledsoe and Vice-Chair Bartosiewicz agreed that more time for review was desirable. Member Bledsoe moved to table the agenda item until the next meeting. Chair Westbrook seconded the motion and after a roll call vote the motion passed 3-0.
9. **FY 17 Appropriations Request. Director Griego reported on the FY17 Appropriations hearing before the Legislative Finance Committee on October 29, 2015.** He reminded the Board that its FY 17 request included increases for technical assistance in utilizing the new audio-visual equipment obtained through state surplus and to add to the budget for travel and training. His opinion was that the Committee was not likely to support any increase to the agency’s budget. While the Board may not be able to optimize its use of the audio-visual equipment without addition to the budget, there were still uses within the existing budget to which the equipment may be put. We would know in January what, if any, additional funds would be appropriated.

10. **Classified School Employees Council – Las Cruces v. Las Cruces Public Schools, PELRB No. 111-15.** The Director reported that this matter is presented for informational purposes and no Board action is required in as much as it involves the parties settling their dispute and the PPC being withdrawn so that it is appropriate to voluntarily dismiss the matter and close the file. Dina Holcomb was present for the School District and confirmed the case status as stated by the Director.
11. **New Business.** Director told those present that the Board’s website now includes a “Hearing Calendar” to be updated monthly so that practitioners and interested parties can now check on-line for their scheduled meetings and hearings.
12. **Schedule Next Board Meeting.** After consulting with one another the Board set the next Board meeting for Tuesday, December 1, 2015, 9:30 am.
13. **Adjournment.** Member Bledsoe moved to adjourn. Vice–Chair Bartosiewicz seconded the motion. After a roll call vote the motion passed 3-0 and the meeting was adjourned at 10:01 am.