

Annual Performance Report

Agency 37900 Public Employee Labor Relations Board

Percent compliance with statutes, with particular attention to due process, equal protection, the Public Employee Bargaining Act and Board rules.	100%	By establishing routine procedures to ensure compliance with the Act and rules and by using a centralized calendaring system, staff seeks to ensure compliance with all applicable law and regulations. There are no incidents of self-reported violations of rules or deadlines. Beyond self-reporting, staff relied upon formal or informal complaints submitted in pleadings or other documented complaints, or received in the Public Comment portion of the Board's agenda. In the reporting period the Board has not received any complaints from practitioners before the Board or from the general public that the Board has committed any Open Meetings Act violations, or denied procedural due process, either through delay or the manner of conducting its hearings or elections.
Percent of decisions overturned on appeal	50%	Only 3 cases on appeal have been decided during the reporting period so the sample is not statistically significant. Of the three cases one involving Northern New Mexico Community College, unequivocally upheld the Board. The other, involving the City of Albuquerque, did not disturb the Board's basic decision to decline to jurisdiction but set aside the Board's remand of issues to the local board once it determined that it would not have jurisdiction. The third case reversed a summary dismissal and ordered a hearing on the merits. Therefore staff has weighted the percentage attributed to the Northern New Mexico Community College case to reflect that the Board was overturned on a point collateral to the main issue in the case.
Percent of cases resolved through agreement, mediation or arbitration prior to hearing	34%	Of the 32 cases filed in the reporting period 11 were settled or successfully mediated prior to conducting a full evidentiary hearing.
Percent of cases resolved through agreement, mediation or arbitration post- hearing	0%	None of the cases that proceeded to a full hearing settled after the Board's Order was entered. There were 14 Board Decisions and Orders on appeal before the various Courts (9 of which were consolidated for purposes of hearing them before the Board) and none of which settled prior to being heard on appeal. One case settled after a hearing and appeal following remand from the District Court
Percent of prohibited practice complaints, not settled or withdrawn, decided within 180 days of filing.	71%	There 2 cases, one involving the City of Raton pending since 2010 and the other, involving Northern New Mexico Community College pending since 2011 that account for the failure to process 100% of filed PPC's within 180 days. The delay in those cases may be attributed to an extensive motion practice. If one considers only those cases filed in FY13, 100% of those 32 cases were decided within 180 days. Taking into account the two referenced cases pending for more than a year, the average time taken by the Board to decide a PPC is 142 days.
Percent of determinations of approval of local labor relations boards within 100 days of request to approval	N/A	There were no petitions for approval of local boards filed during the reporting period.

Percent of petitions for bargaining unit recognition processed within 180 days of filing	83%	A total of 12 petitions for recognition were processed by the Board during the reporting period. 10 of those were completed, including conducting the election and certifying the unit, within 180 days. The average time in which the Board processed Representation Petitions was 169 days.
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