

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

_____,
Petitioner

and

PELRB No: _____

_____,
Respondent

STIPULATED GROUND RULES FOR CARD CHECK

PETITIONER: _____

RESPONDENT: _____

INTERVENING LABOR ORGANIZATION (if any): _____

1. The Respondent in this matter has consented to an alternative procedure for the Petitioner to demonstrate majority support. A Card Check will be conducted on _____, to resolve the Petition filed in PELRB Case No. _____.

The Card Check process will be held at

_____.

2. The Card Check process will be set up to accommodate the Card Check by:

_____.

Cards will be compared against the alphabetically arranged list(s) of eligible employees within the same unit, to be provided by _____, on _____.

3. The Parties agree that the employee list provided by the Public Employer and used for this process is the best available current “snap shot” of the petitioned-for bargaining unit.

4. The Petitioner will present signed authorization cards arranged alphabetically by _____, then by _____.

5. The Agency or Department included in this Petition, if any, is the _____.

6. **Umpire:** The actual Card Check will be performed by _____, an agent of the PELRB.

7. **Observers:** The Parties will be allowed two (2) observers each to be in the room with the Umpire during the card check exercise. The Parties may relieve and substitute observers as deemed necessary.

A. Observers are allowed to observe the card check process; however, they are not to disrupt the process, or make comments/arguments regarding the qualification or disqualification of cards or names, except to make objection to a disputed card.

8. **NO** conversations will be held by the Parties regarding disputed cards until after the entire Card Check process has occurred, unless authorized by the Umpire.

9. If resolution of the disputed cards is needed to address the question of “majority support,” the Parties will meet to discuss the issues raised therein.

10. The Card Check process will be held at _____, on _____ . At that time the Petitioner’s representative(s) possessing the Cards shall present the cards to the Umpire for review.

11. The Umpire shall be required to certify whether or not the Petitioner has produced sufficient cards to meet the “majority support” threshold. When majority status is reached, before all the cards are examined, the Umpire may certify the results at that point, unless one or more Parties desire the Card Check to continue.

12. It is anticipated that the review process can be completed within a day. If, for any reason, the card check process can not be completed within the designated day, the Parties shall agree upon such additional dates as may be needed to complete the process.

13. After the conclusion of the Card Check process, including resolution of any disputed cards if necessary, the Parties shall have five (5) workdays in which to file objections concerning the conduct of the Card Check. A violation of these Stipulated Ground Rules is a basis for an objection and such a violation may cause the Card Check to be rescheduled and/or the results to be invalidated.

14 The undersigned are designated by their respective Party to act as principal and are authorized to sign these Ground Rules, thereby binding each party to the contents herein. The undersigned acknowledge that they have (1) read each paragraph of these Stipulated Ground Rules; (2) been afforded an opportunity to ask questions of the signatory PELRB Agent about the contents of each paragraph as well as discussed it with the other party; and (3) voluntarily and in good faith accepted the terms and conditions specified in the Ground Rules.

For the Petitioner Date

Printed name: _____

For Intervening Labor Organization, (if any) Date

Printed name: _____

For Respondent Date

Printed name: _____

Approved by PELRB Agent Date

Printed name: _____