



STATE OF NEW MEXICO
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Minutes of Board Meeting held Tuesday May 5, 2020
at 9:30 a.m. via web conference. Duff Westbrook, presiding.

1. **Call to Order.** The Board's Chair, Duff Westbrook, called the meeting to order at 9:30 a.m. Member Jay Bledsoe and Vice-Chair R.E. Bartosiewicz were also present, so that a quorum was established.
2. **Approval of Agenda.** Member Bledsoe moved to approve the agenda. Vice-Chair Bartosiewicz seconded the motion and the agenda was unanimously approved upon a roll call vote.
3. **Approval of March 3, 2020 meeting minutes.** Member Bledsoe moved to approve the minutes of the Board's March 3, 2020 meeting. Vice-Chair Bartosiewicz seconded the motion and the minutes were unanimously approved without modification upon a roll call vote.
4. **Public Comments.** There were five members of the public participating in the videoconference. No members of the public commented.
5. **Approval of Consent Election Agreement.** The Executive Director informed the Board that the parties in PELRB 302-20 *NEA-Turquoise Trail Charter School & Turquoise Trail Charter School* entered into a Consent Election Agreement (CEA), a copy of which is provided to the Board for review. He further stated that the terms allow for both in-person and mail-in ballots and that the procedure for in-person voting complies with current public health guidelines involving social distancing. Due to those accommodations, the ballot tally will not take place at the polling location immediately following the election but will occur later on June 5, 2020 at the PELRB office with interested parties appearing via videoconference. Betty Patterson, appearing on behalf of the union, agreed with the Executive Director's assessment. Chair Westbrook moved to approve the CEA. Member Bledsoe seconded the motion and the motion was unanimously approved upon a roll call vote.
6. **Review Status of Audio Tape Recordings Disposal.** The Executive Director directed the Board's attention to a memorandum prepared by PELRB staff explaining that at the March meeting the Board directed staff to prepare and publish notice that audiotapes containing recordings of past PELRB hearings and meetings were going to be disposed of, that such notice had been duly published and no comments or objections had been received by the staff, and staff would proceed with disposing of the tapes. He reiterated that the tapes had all been digitized and stored electronically and the State Records Center and Archives had no objection to their disposal. The Board directed staff to proceed with the disposal of the tapes.
7. **Review Rules Changes to Comport with PEBA Amendments Effective July 1, 2020.** Mr. Griego invited the Administrative Assistant, Matthew Huchmala, to report on the status of the changes the PELRB's operational rules to align with the amendment to the PEBA effective July 1, 2020. Mr. Huchmala told the Board that, in accordance with the State Rules Act, the required Notice of Proposed Rulemaking appeared in the May 5, 2020 edition of the New Mexico

Register and that copies of the proposed changes are posted on the PELRB website. A rulemaking hearing is scheduled for June 4, 2020, and a Board meeting on June 5, 2020, which leaves time to publish the changed rules at the same time the amendments to the PEBA become effective if the Board is able to approve changes on June 5, 2020. The Executive Director thanked the ad hoc Rules Committee members for their assistance and stated that in order for the rules to become effective at the same time as the effective date of the amendment to the PEBA he did not engage with the Committee as much as he might have liked. However, he pointed out that the public comment period and rulemaking hearing offered a further opportunity to voice any comments they might have. He asked the Board if they had any comment after reviewing the proposed changes; they did not.

8. **Review Case Closure *In re: AFSCME, Local 3277 v. Rio Rancho*; PELRB No. 113-18.** The Executive Director informed the board that the District Court had upheld the Board on appeal, the time for further appeal had passed with no appeal having been taken and the case had been closed on March 5, 2020.
9. **Review of Local Board Compliance: *In re: Curry County Labor Management Relations Board*; PELRB 229-04; *In re: Lake Arthur Municipal Schools*; PELRB 202-09.** Mr. Griego reported that both of these local labor boards had rescinded their local public employee resolution or ordinance so that any issue of revocation was now moot and the cases would be closed. No further action was taken by the Board.
10. **CFO Monthly Financial Report.** The Board's CFO, Tanya Montoya-Ramirez, directed the Board's attention to spreadsheets in their packets detailing the current financial status of the agency. She stated that the budget categories were all in order and a Budget Adjustment Request would not be necessary. There were enough remaining funds to cover expenses for the rest of the fiscal year. Additionally, she had succeeded in paying all prior year outstanding bills from DoIT and GSD. The Executive Director informed the Board that due to a decrease in state revenues the Department of Finance and Administration curtailed all discretionary spending, including non-essential travel and requested all state agencies to revert 20% of their remaining budgets. Further budget cuts are highly likely for the next fiscal year. Accordingly, all savings noted by the CFO over and above essential spending for FY 20 would be reverted to the General Fund.
11. **Set Next Meeting Date and Adjournment.** After a brief discussion, the next meeting was set for June 5, 2020 at 9:30 a.m. Chair Westbrook moved to adjourn the meeting. Vice-Chair Bartosiewicz seconded the motion and the motion was unanimously approved upon a roll call vote. The time was 9:58 a.m.