



**STATE OF NEW MEXICO  
PUBLIC EMPLOYEE LABOR RELATIONS BOARD  
Minutes of Board Meeting held Tuesday, March 2, 2021  
at 9:00 a.m. via web conference. Marianne Bowers, presiding.**

1. **Call to Order.** Chair Marianne Bowers called the meeting to order at 9:00 a.m. Members Mark Myers and Nan Nash were also present, so that a quorum was established.
2. **Approval of Agenda.** Member Nash moved to approve the agenda. Vice-Chair Myers seconded the motion, and the agenda was unanimously approved upon a roll call vote.
3. **Approval of February 9, 2021 Meeting Minutes.** Member Nash moved to approve the February 9, 2021 meeting minutes. Vice-Chair Myers seconded the motion and the motion carried unanimously by roll call vote.
4. **Public Comments.** The Chair invited public comment. No one requested to make comments.
5. **Case Closure *AFSCME Council 18 v. State Personnel Office and Department of Corrections*; PELRB 104-20.** The Executive Director informed the Board that this case had been administratively closed after settlement by the parties. No action was taken by the Board.
6. **Hearing Officer's Report and Recommended Decision *Gallup-McKinley Schools v. MCFUSE*; PELRB 114-20.** The Executive Director informed the Board that he issued a Report and Recommended Decision in this case and no request for Board review had been filed, so that the decision is binding on the parties but is not precedent in any other case. He would now close the case. No action was taken by the Board.
7. **Case Information on Website.** The Chair stated that she asked for this item to be placed on the agenda for the purposing of discussing whether the Board should post information on the PELRB website concerning cases as they are filed on a routine basis in order to provide the public with more information of interest about our work. Vice-Chair Myers and Member Nash both stated their support for the idea. Executive Director Griego stated that staff already maintain a database of current cases produces a report about all open cases for its own use. That report could be posted on a weekly basis without too great a burden on PELRB staff. That report would allow the public to view current open cases by PELRB number, date filed, status as "pending" or "on appeal", a descriptive summary of the case, last action taken and next action to be taken. After being asked by the Board for her opinion, Lori Chavez, counsel to the Board, stated that there were no legal impediments to posting such a list. Director Griego asked for the opinion of the Executive Administrative Assistant, Matthew Huchmala. He stated that he believed staff could post a once-a-week update to the website without much difficulty. The Chair then directed PELRB staff to begin posting a list showing the status of all open cases on the website and update it weekly.
8. **Director's Reports**
  - a. **Cases on Appeal.** The Executive Director stated that there are four cases on appeal to District Court:

1. *AFSCME & City of Las Vegas*; PELRB 305-20. This appeal was filed recently on February 15, 2021, so that the statement of issues was not due until April 16, 2021. Counsel for the Board confirmed these details.
  2. *AFT-NM v. Peñasco ISD*; PELRB 108-20. In this case the Board, among other things, overturned the non-renewal of three teachers' contracts. The appeal concerns only one of the three contracts. As in the *Las Vegas* case, this appeal was filed recently on February 15, 2021, so that the statement of issues was not due until April 16, 2021. Counsel for the Board confirmed these details.
  3. *Goodenough v. CYFD*; PELRB 106-19. The District Court heard oral argument on February 16, 2021. The Board's legal counsel stated that the judge addressed several issues at oral argument and had already reviewed the record, so she anticipated a ruling soon.
  4. *MCFUSE v. Gallup-McKinley Schools*; PELRB 122-20. In this case, the School District appealed the issuance of a pre-hearing Temporary Restraining Order on January 22, 2021. Director Griego told the Board that he held a Merits Hearing in the case on February 16, 2021 and anticipated that he would issue a Recommended Decision after receiving the parties' closing briefs in the near future with the result that the appeal may become moot before the District Court rules. Counsel for the Board had nothing to add to the Executive Director's report on this case.
    - b. **Local Ordinances Update.** The Executive Director informed the Board that of the three local ordinances conditionally approved at the February meeting, two had submitted revised enacted ordinances that conform with § 10 of the PEBA.
9. **Adjournment.** Member Nash moved to adjourn. Vice-Chair Myers seconded the motion and the motion carried unanimously by roll call vote. The time was 9:22 a.m.