

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

**In re:**

**ALMA LINAN RODRIGUEZ,**

**Petitioner,**

**and**

**PELRB No. 302-22**

**TIERRA ENCANTADA CHARTER  
SCHOOL-NEA,**

**Respondent.**

**ORDER**

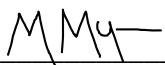
**THIS MATTER** comes before the Public Employee Labor Relations Board (“Board”) following the summary dismissal of the petition in this case by the Executive Director. The Board, after reviewing the dismissal and being otherwise sufficiently advised, voted unanimously at its April 5, 2022 meeting to affirm the dismissal and the underlying reasoning.

**THEREFORE**, the Board hereby affirms the Executive Director’s dismissal of the petition on the grounds that:

- (1) Petitioner is not a member of Tierra Encantada Charter School-NEA nor has she authorized dues deductions to be paid to TECS-NEA, and therefore lacks standing under NMSA 1978, Section 10-7E-16(A) to initiate a decertification petition of the same; and
- (2) NMSA 1978, Section 10-7E-14(E) provides that an election shall not be conducted if an election or runoff election, which includes the card check conducted on February 17, 2022 resulting in the certification of TECS-NEA as an exclusive bargaining representative, has been conducted in the twelve-month period immediately preceding the proposed election.

**PUBLIC EMPLOYEE LABOR RELATIONS BOARD**

4/20/2022  
Date

  
\_\_\_\_\_  
Mark Myers, Board Chair



STATE OF NEW MEXICO  
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

MICHELLE LUJAN GRISHAM  
Governor

Mark Myers, Chair  
Nan Nash, Vice-Chair  
Marianne Bowers, Member

2929 Coors Blvd. N.W. Suite 303  
Albuquerque, NM 87120  
(505) 831-5422  
(505) 831-8820 (Fax)

THOMAS J. GRIEGO  
Executive Director

March 7, 2022

Alma Linan Rodriguez  
95 Carson Valley Way  
Santa Fe, New Mexico 87508

Tierra Encantada Charter School - NEA  
2007 Botolph Road  
Santa Fe, New Mexico 87505  
Attn: Betty Patterson

Re: *Alma Linan Rodriguez and Tierra Encantada Charter School – NEA; PELRB 302-22*

Dear Ms. Rodriguez and Ms. Patterson:

On February 24, 2022 I wrote to the parties informing them that I found the Petition(s) filed herein to be inadequate, giving Ms. Rodriguez until the close of business on March 4, 2022 in which to cure the deficiencies or the Petition would be dismissed pursuant to NMAC 11.21.2.13(B).

My records show that nothing has been filed curing the deficiencies by the deadline, so I am dismissing the Petition and closing the file pursuant to NMAC 11.21.2.13(B).

This dismissal will be reviewed by the Board at its meeting on April 5, 2022.

Sincerely,

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

A handwritten signature in blue ink, appearing to read "Thomas J. Griego".

Thomas J. Griego  
Executive Director