

Table A
Agency 37900 Public Employee Labor Relations Board

Criteria	Outcome	Description
Percent compliance with statutes, with particular attention to due process, equal protection, the Public Employee Bargaining Act and Board rules.	100%	Staff ensures compliance with applicable laws and regulations by its standard operating procedures and by its centralized calendaring system. After review of all case files and Board meeting minutes for 2018, staff found no complaints that the Board violated rules or statutes, e.g. the Open Meeting Act, or otherwise failed to provide due process by the manner of conducting hearings or elections or by undue delay. Likewise, there were no self-reported incidents. There were two instances of incomplete audio records required by NMAC 11.21.1.15, but those did not result in complaints or allegations that the Board failed in its statutory duties.
Percent of decisions overturned on appeal	0%	For the reporting period, none of the cases were appealed to District Court.
Percent of cases resolved through agreement, mediation or arbitration prior to hearing	0%	Of the 27 cases filed during the reporting period, none required a hearing. 5 were settled, successfully mediated, or withdrawn prior to conducting a full evidentiary hearing; 1 was dismissed as facially invalid; 1 was an election in which the bargaining unit was not challenged; and 1 was an uncontested disclaimer of interest. (19 are pending)
Percent of cases resolved through agreement, mediation or arbitration post- hearing	0%	For the reporting period thus far, no cases have been resolved after the conclusion of a merits hearing.
Percent of prohibited practice complaints decided within 180 days of filing.	100%	All Prohibited Practice Complaints filed during the reporting period were resolved within 180 days of filing. All pending cases were filed less than 180 days before the preparation of this table.
Percent of prohibited practice complaints, not settled or withdrawn, decided within 180 days of filing.	0%	Of the 7 PPCs filed in the reporting period 5 are pending. The average time taken by the Board to decide the remaining 2 was 107 days. Of the cases that remain pending, all are expected to be resolved within the 180 day period.
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 bargaining unit recognition petitions processed within 180 days of filing	83%	A total of 6 petitions for recognition, clarification or decertification were filed during the reporting period. Three were resolved within 180 days. Of the 3 still pending, only one has been pending for more than 180 days and that was due to the parties not posting the required notices in a timely fashion.
Percent determinations of approval of local labor relations boards, bargaining unit recognition petitions and prohibited practice complaints processed and completed within the applicable regulatory deadlines	96%	All of the resolved cases were resolved within 180 days. Only 1 active case has been pending for more than 180 days, which was due to the parties not posting the required notices in a timely fashion.

**ALL CASES FILED WITH THE PELRB IN 2019
BY TYPE OF EMPLOYER OR RESPONDENT**

Table B

Type of Employer or Respondent	Types of Cases					TOTAL
	PPCs	Representation Petitions	Decertification Petitions	Related to Approval of Local Board	Impasse	
State*	5	1				6
County		2		1		3
Municipality						
Public School		3	1‡	2		6
Higher Education						
Medical Facility						
Other	1					1
Court						
Union		1	1‡			2
Individual						
Local Labor Board						
TOTAL	6	7	2‡	3		18‡

*Cases involving both a State Agency and the State *qua* State are counted here

‡ Because interested parties in a decertification proceeding include both the union being decertified and the Employer, a single filing results in two types of Respondents so that the total will exceed the number of cases filed.

**ALL CASES FILED WITH THE PELRB IN 2019
BY PETITIONER OR COMPLAINANT**

Table C

Type of Petitioner						TOTAL
	PPCs	Representation Petitions	Petitions for Decertification	Related to Approval of Local Board	Impasse	
State*				3		3
County						
Municipality						
Public School						
Higher Education						
Medical Facility						
Other						
Court						
Union	3	5				8
Individual	3		1			4
Local Labor Board						
TOTAL	6	5	1	3		15

*Cases involving both a State Agency and the State *qua* State are counted here

**ALL CASES FILED WITH THE PELRB IN 2019
BY PETITIONER AND TYPE**

Table D

Petitioner	Types of Cases					TOTAL
	PPCs	Representation Petitions	Petitions for Decertification	Related to Approval of Local Board	Impasse	
AFSCME Council 18	2					2
AFSCME Local 2911		1				1
CWA	1	1				2
NEA-NM	1	1				2
NEA-Las Vegas		1				1
Santa Fe County Firefighters IAFF Local 4366		1				1
Individual	3		1			4
State (PELRB)				3		3
TOTAL	7	5	1	3		16

PPC OUTCOME 2019

Table E

Total PPCs Filed		7
Sustained (In whole or in part)		0
By Hearing Examiner (w/o Board review)		
After Board Review		
After Review by Court		
Dismissed – no violation found		1
By Hearing Examiner (w/o Board review)	1	
After Board Review		
After Review by Court		
Summarily Dismissed		1
Dismissed after preliminary review (NMAC 11.21.3.12)		
Dismissed after Motion	1	
Deferred to Agency		
Deferred to Arbitration		
Dismissed on collateral estoppel grounds		
Deferred to local board		
Withdrawn and/or Settled		5
Withdrawn upon receipt of notice of facial inadequacy		
Withdrawn in favor of alternate venue		
Withdrawn as moot		
Settled prior to hearing	5	
Resolved after a Merits Hearing		
Pending		
Being processed at the PELRB	1	
Stayed or deferred for various reasons		
Matter is before the courts		
TOTAL PPCs CARRIED OVER FROM 2018	10	17

JUDICIAL APPEALS 2019

Table F

TOTAL PELRB DECISIONS APPEALED IN 2019		1
Appeals pending from prior years	2	
Appeals withdrawn		
Appeals dismissed for lack of prosecution		
Appeals dismissed on jurisdictional or venue grounds		
Decisions affirmed	2	
Decisions reversed		
Decisions affirmed in part, reversed in part	1	
Final Board Decisions Not Appealed Further		6
Board Decisions For Which Time To Appeal Has Not Yet Run		0