

STATE OF NEW MEXICO
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

8 - PELRB - 2014

AFSCME COUNCIL 18 & NMCP SO,
Petitioners

and

PELRB 303-14

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY,


Respondent

ORDER

THIS MATTER comes before the Public Employee Labor Relations Board for review of a Temporary Injunction issued by the Executive Director enjoining the parties from taking further action to ratify a successor Collective Bargaining Agreement between NMCP SO and the County until after the election scheduled to be held in this case, and to approve the parties' Consent Election Agreement. Following two consecutive 3-0 roll call votes the Temporary Injunction was ratified by the Board and the CEA approved.

Date: _____

6-3-14



Duff Westbrook, Chair,
Public Employee Labor Relations Board



STATE OF NEW MEXICO
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

SUSANA MARTINEZ
Governor

Duff Westbrook, Board Chair
Roger E. "Bart" Bartosiewicz, Board Member
James Shaffner, Board Member

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THOMAS J. GRIEGO
Executive Director

May 7, 2014

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Santa Fe, New Mexico 87501

Re: *AFSCME Council 18, NMCP SO & Santa Fe County; PELRB 303-14*

Dear Counsel:

I have reviewed the responses to the petition herein filed by the County and NMCP SOA. I do not find that an evidentiary hearing is necessary to conclude, as I do here, that the Petitioner has met the procedural requirements to proceed to an election. I further find pursuant to NMAC 11.21.2.13 (C) that there are no significant issues of unit scope, unit inclusion or exclusion, labor organization or public employer status (other than as noted below concerning the named employer), a bar to the processing of the petition or other matters that could affect the proceedings. I have determined that the petitioned-for unit is appropriate pursuant to the provisions of NMSA 1978 §§10-7E-13(C) and 10-7E-24.

In order to avoid future entanglements and without necessarily deciding that the provisions of NMSA 1978 § 4-46-1 apply to this proceeding I am directing that all future pleadings in this matter reflect the change of the name of the employer from Santa Fe County to "The Board of County Commissioners of Santa Fe County".

Pursuant to NMAC 11.21.2.14 I would like to schedule a Pre-election conference to resolve issues and to enter into a written Consent Election Agreement or Election Order subject to approval of the Board. Accordingly, the parties are directed to confer concerning a mutually acceptable date and time for a 20 minute Conference anytime on **May 26th, 29th or 30th** and inform this office of the agreed-upon date by **May 23, 2014**.

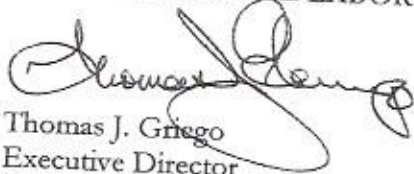
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The County's Response raises a critical issue concerning a negotiated successor CBA having been negotiated between the County and NMCP SOA. In order to avoid complications in the event NMCP SOA ceases to be the recognized collective bargaining representative and because an election may not take place during the effective period of a current collective bargaining agreement, it is necessary to enjoin all efforts to complete the ratification process.

THE PARTIES ARE HEREBY TEMPORARILY ENJOINED from ratifying the negotiated agreement references in the County's response until this matter is reviewed by the Board at its meeting on **May 28, 2014**.

Sincerely,

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

A handwritten signature in cursive script, appearing to read "Thomas J. Griego".

Thomas J. Griego
Executive Director