



**MINUTES**  
**STATE OF NEW MEXICO**  
**PUBLIC EMPLOYEE LABOR RELATIONS BOARD**

Nan Nash, Board Chair

**Tuesday, December 6, 2022, 9:00 a.m.**

**Via videoconference**

1. **Call to Order.** Chair Nan Nash called the meeting to order at 9:00 a.m. Member Mark Myers was also present, constituting a quorum. The Executive Director announced that the Vice-Chair, Marianne Bowers had resigned her position on the Board. The Chair requested that Mr. Myers serve as Chair *pro tempore* for the meeting as her location had significant background noise.
2. **Approval of Agenda.** Chair Myers moved to approve the agenda. The motion was seconded by Member Nash and carried unanimously upon a roll call vote.
3. **Approval of November 19, 2022 Meeting Minutes.** The Chair moved to approve the November 5, 2022 Meeting Minutes. Member Nash seconded the motion and the motion passed unanimously upon a roll call vote.
4. **Public Comments.** There were no public comments.
5. **Voluntary Dismissal** *CWA v. NMED*; PELRB 117-22. Executive Director Griego informed the Board that the Complainant withdrew the Complaint as part of a settlement of the case prior to a hearing pursuant to NMAC 11.21.3.15. He then issued a Voluntary Dismissal so that there was no action for the Board to take and staff would close the case following today's meeting.
6. **Request for Board review.** *AFSCME 3022 v. ABCWUA*; PELRB 114-22. The Executive Director presented the procedural posture of the case and informed the Board that the representative of the Complainant had informed staff that he could not attend the meeting due to illness. In the absence of a representative of the Complainant, the Board heard from Jamie Dawes, counsel for the Respondent. After hearing argument from Ms. Dawes, requesting that the Board reverse the Hearing Officer's Report and Recommended Decision, Chair Myers moved that the Board go into executive session pursuant to section 10-15-1(H)(3) of the Open Meetings Act, to discuss Item 6, *AFSCME 3022 v. ABCWUA*; PELRB 114-22. The Ms. Nash seconded the motion and the motion carried unanimously upon a roll call vote. The Board went into closed session at 9:17 a.m.

At 9:28 a.m., Chair Myers moved that the Board go back into regular session, and pursuant to sections 10-15-1(I)(l) and 10-15-1(J), the only matter discussed in the closed executive session was agenda Item 6. Ms. Nash seconded the motion, which passed unanimously upon a roll call vote.

Mr. Myers then moved to affirm and adopt the Hearing Officer's Report and Recommended Decision. The Chair seconded the motion and the motion passed unanimously upon a roll call vote.

7. **Director's Dismissal.** *Anthony POA & City of Anthony*; PELRB 326-22. The Executive

Director informed the Board that the Anthony Police Officers' Association filed a Petition for Recognition that he found to be facially inadequate and that he had dismissed the Petition after the time to cure defects had passed without an amended petition being filed. He pointed out that the dismissal was without prejudice and that the Anthony POA could file another petition at any time.

8. **Adjournment.** The Chair moved to adjourn. The motion was seconded by Member Myers and carried unanimously upon a roll call vote. The time was 9:31 a.m.