

# 18-PELRB-2024

## STATE OF NEW MEXICO PUBLIC EMPLOYEES LABOR RELATIONS BOARD

AFSCME COUNCIL 18,

Complainant,

v.

PELRB No. 123-23

DOÑA ANA COUNTY,

Respondent.

### ORDER

**THIS MATTER** comes before the Public Employee Labor Relations Board at its regularly scheduled meeting on February 6, 2024 upon Remand from the Third Judicial District Court for further proceedings consistent with its reversal of the Doña Ana County Management Relations Board’s dismissal of the Union’s PPC, thereby finding that the disciplinary action taken against the Union President was retaliatory and ordering that the relief requested by the Union shall be granted.<sup>1</sup>

**WHEREFORE, IT IS HEREBY ORDERED** that (1) Doña Ana County shall rescind the suspension of Sgt. Thomas Burns; (2) make Sgt. Burns whole, including expunging the letter of suspension from his personnel file and paying compensation to Sgt. Burns in the amount of \$963.20; (3) Doña Ana County shall post notice in the form appended to this order the directing the Employer to cease and desist all activities which violate the Public Employee Bargaining Act, which shall be posted for no less than 180 days in all public buildings owned, leased or operated by Doña Ana County.

### PUBLIC EMPLOYEE LABOR RELATIONS BOARD

DocuSigned by:

*Peggy Nelson*

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PEGGY J. NELSON, BOARD CHAIR

3/7/2024

DATE

<sup>1</sup> Because the Doña Ana County Labor Management Relations Board did not submit the necessary affirmations under the PEBA Section 10-7E-10 in 2021, it ceased to exist effective January 1, 2022 and jurisdiction over any of its pending matters transferred to this Board.