

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

In re:

**MCKINLEY COUNTY FEDERATION  
OF UNITED SCHOOL EMPLOYEES  
LOCAL 2212, AFT-NM,**

**Complainant,**

v.

**PELRB 102-21**

**GALLUP-MCKINLEY COUNTY  
PUBLIC SCHOOLS,**

**Respondent.**

**ORDER**

**THIS MATTER** comes before the Public Employee Labor Relations Board (“Board”) on a request by Respondent Gallup-McKinley County Schools for Board review of the Hearing Officer’s Decision on cross-motions for summary judgment in this case, and that the Chair recuse herself from participation in the review due to bias against the Respondent. After review of the Hearing Officer’s Decision and the parties’ briefs, and accepting oral argument from the parties, the Board being otherwise sufficiently advised, the Board voted 3-0 as follows:

1. The request for recusal of the Chair on the basis of bias is without merit and is **DENIED**;
2. No further requests for recusal will be entertained by the Board in this case; and
3. The Board adopts the Hearing Officer’s Decision as its own with the following modification:
  - a. In the remedies ordered, the word “apology” be replaced with the phrase “acknowledgement of wrongdoing”.

**IT IS ORDERED:** The Hearing Officer’s Decision on Motions for Summary Judgment is adopted with the above modification. The Respondent shall:

- (1) Cease and desist from all violations of the PEBA.
- (2) Post and email notice of the foregoing violations of the PEBA and its assurances that it will comply with the law,
- (3) Rescind its email of January 22, 2021, with an acknowledgment of wrongdoing to all employees to whom it was sent, and
- (4) Reissue its compliance directive in a form acceptable to the Union.

**PUBLIC EMPLOYEE LABOR RELATIONS BOARD**

Marianne Bowers  
MARIANNE BOWERS, BOARD CHAIR

6/1/2021  
DATE

Gallup-McKinley County Schools acknowledges the ruling of wrongdoing from PEBA.  
GMCS complies with all applicable laws.