

**NMSU LABOR MANAGEMENT RELATIONS BOARD
ANNUAL NOTICE AND OPEN MEETINGS RESOLUTION**

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, §§10-15-1 through 4) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policymaking body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation, or formal action occurs will be held only after reasonable notice to the public and otherwise in accordance with the Open Meetings Act; and

WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the NMSU Labor Management Relations Board (NMSU LMR Board) to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the NMSU LMR Board:

1. **Meeting Notices, Generally:** Each meeting notice will indicate the date, time and specific location of the NMSU LMR Board's meeting, including city and campus, building name and address. The notice will either include a copy of the agenda or provide information on how a copy of the agenda may be obtained.
2. **Regular Meetings:** Unless otherwise specified, regular meetings will be convened by the Chair, or upon request by the other members or university staff indicating a need. Notice of regular meetings will be given five university business days in advance of the meeting date. If not included with the notice, the meeting agenda will be available at least seventy-two hours prior to the meeting from the Office of Employee and Labor Relations, at <https://hr.nmsu.edu/labor/>
3. **Special Meetings:** Special meetings may be called by the Chair, or upon request by the other members or university staff indicating a need, upon three university business days' notice. If not included with the notice, the agenda will be available at least seventy-two hours prior to the meeting from NMSU Employee and Labor Relations at <https://hr.nmsu.edu/labor/>
4. **Emergency Meetings:** Emergency meetings will be only called to address unforeseen circumstances that demand immediate action to protect the health, safety, and property of citizens or to protect the public body from substantial financial loss. The NMSU LMR Board will avoid emergency meetings whenever possible. Emergency meetings may be called by the

Chair, or upon request by the other members or university staff indicating a need, with twenty-four hours prior notice, unless threat of personal injury or property damage requires less notice. The notice for all emergency meetings must include an agenda for the meeting. Within ten days of taking action on an emergency matter, the NMSU LMR Board will or university staff acting on its behalf will notify the Attorney General's Office.

5. **Delivery of Notice:** Each meeting notice will be:
 - (a) posted on the website of NMSU Employee and Labor Relations at: <https://hr.nmsu.edu/labor/>; and
 - (b) transmitted to any broadcast station licensed by the federal Communications Commission and any other newspaper of general circulation that have made a written request for notice of public meetings.

6. **Accessibility Notification:** In addition to the information specified above, meeting notices must include the following, or substantially similar, language to ensure equal access to meetings:

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact NMSU Employee and Labor Relations at 575- 646-2449 as soon as possible before the meeting. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact NMSU Employee and Labor Relations at 575- 646-2449 if a summary or other type of accessible format is needed.

7. **Closed Session:** The NMSU LMR Board may close a meeting to the public only if the subject matter of such discussion or action is excepted from the open meeting requirement under Section 10-15-1(H) of the Open Meetings Act.
 - (a) If any meeting is closed during an open meeting, such closure must be approved by a majority vote of a quorum of the NMSU LMR Board taken during the open meeting. The authority for the closed meeting and the subjects to be discussed must be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close must be recorded in the meeting Minutes. Only those subjects specified in the motion may be discussed in the closed meeting.
 - (b) If a closed meeting is conducted when the NMSU LMR Board is not in an open meeting, the closed meeting must not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the members and to the general public.
 - (c) Following completion of any closed meeting, the Minutes of the open meeting that was closed, or the Minutes of the next open meeting if the closed meeting was separately scheduled, must state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

(d) Except as provided in Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting must be made by vote of the NMSU LMR Board in an open public meeting.

8. **Telephonic/Electronic Attendance:** Members of the NMSU LMR Board or other individuals appearing before the Board may participate in a meeting by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the member or other individual to attend the meeting in person. Each member or other individual participating telephonically or by other electronic means must be identified when speaking, and must be able to be heard by all in attendance at the meeting.

9. **Meeting Minutes:** The NMSU LMR Board will maintain Minutes of all its meetings. The Minutes will include at a minimum the date, time and place of the meeting, the names of members in attendance and those absent, the substance of the business considered and a record of any decisions and votes taken that show how each member voted. All Minutes are open to public inspection. Draft Minutes will be prepared within ten working days after the meeting and will be approved, amended or disapproved at the next meeting where a quorum is present. Minutes are not official until approved by NMSU LMR Board.

ADOPTED by the NMSU Labor Management Relations Board at its regular meeting held this 11th day of March, 2021, in Las Cruces, New Mexico.

NAME, NMSU LMR Board Chair

NAME, NMSU LMR Board Vice Chair

NAME, NMSU LMR Board Member