

Law Enforcement Officials in Santa Fe New Mexico: County Sheriff Deputies Union Wins Case on COVID Vaccine Mandate

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Santa Fe County erred in disciplining sheriff’s deputies who failed to comply with a vaccine mandate, an arbitrator with the New Mexico Public Employees Labor Relations Board decided in March.

Thomas Griego, a hearing officer with the board, recommended the county rescind “any and all discipline” issued against members of the Santa Fe County Deputy Sheriff’s Association over their refusal to comply with a COVID-19 vaccination policy until mediation can occur.

He found the county implemented disciplinary actions, including termination of deputies, after the union had declared an impasse in negotiations.

The result could be the reinstatement of at least three deputies who were union members.

While union President Eddie Webb lauded the hearing officer’s recommendation and said he looked forward to reinstating the three who were fired for noncompliance, he indicated the vaccine mandate has a much broader effect. Five deputies quit before they could be fired, he said, and several deputies in training who were not yet union members were dismissed.

Santa Fe County spokeswoman Carmelina Hart could not be reached for comment on Griego’s recommendation or whether the county would follow through with it.

Griego wrote in his report on the decision,

“The county breached a duty to bargain in good faith by its unilateral imposition of discipline ‘up to and including termination’ because that is an aspect of a new work rule that is grounds for discipline and consequently is a mandatory subject of bargaining not covered by the contract.”

“The union is not anti-vaccine,” Webb said of the Santa Fe County Deputy Sheriff’s Association, a subsidiary of the New Mexico Coalition of Public Safety Officers. “Ninety-five percent of us are vaccinated. But we are pro making sure our deputies’ rights are followed, and this is what this really came down to.”

He added,

“It sucks because we lost very experienced people both in the union and not in the union.”

On Aug. 20, 2021, the county circulated a draft vaccine policy among employees, including those in the sheriff’s office. The deputies union, in response, requested a chance to discuss the proposed policy with county officials.

The county informed the union Nov. 9 it was unilaterally implementing its last, best offer, which required county employees to be vaccinated or provide an exemption by Dec. 10. That prompted the union to declare an impasse.

Still, the policy went into effect on Nov. 11, and terminations began in December, leading to more negotiations in January.

Webb said the policy worsened an already-concerning vacancy issue within the sheriff’s office. Out of 99 deputy positions, 20 are vacant, he said.

“We are working pretty short-staffed, and the idea of getting three experienced people back is pretty nice,” he said.

Webb said the union asked the county for a testing policy in lieu of the vaccine mandate, but it was told the proposal didn’t make sense fiscally.

“It cannot be expensive to administer a testing program for three people,” he said.

Sheriff Adan Mendoza said at a recent forum for sheriff candidates he had fought for a testing option but ultimately supported the vaccination mandate imposed by the county.

His only challenger, Santa Fe police Lt. David Webb, said at the forum he would enforce the vaccine mandate but was personally against the policy.

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