

Opinion No. 67-32

February 22, 1967

BY: OPINION OF BOSTON E. WITT, Attorney General

TO: Honorable John M. Eaves State Representative Legislative-Executive Building
Santa Fe, New Mexico

QUESTION

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Do the Teachers' Unions affiliated with the American Federation of Teachers (AFL-CIO) come within the coverage of Section 4 of House Bill No. 132?

CONCLUSION

Yes.

OPINION

{*40} **ANALYSIS**

Section 4 of House Bill No. 132 reads as follows:

"Section 4. PROFESSIONAL ORGANIZATIONS. -- Professional organizations of the teaching profession have the right to represent their members in their employment relations with public agencies and may establish reasonable restrictions regarding who may join and make reasonable provisions for dismissal of members. This provision shall not prohibit any employee from appearing in his own behalf in employment relations."

The teacher's union is a state or local organization organized and existing under and by virtue of the authority of the laws of the State of New Mexico. Its Articles of Incorporation and By-Laws concerning membership provide in substance that it is a professional organization of teachers designed to improve teaching conditions generally. The organization, although affiliated with the AFL-CIO necessarily has a considerable amount of autonomy and its membership is, as above stated, composed of members of the teaching profession.

Such being the case it is a professional organization of the teaching profession within the meaning House Bill No. 132.

By: James V. Noble

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