

41-PELRB-2024

STATE OF NEW MEXICO PUBLIC EMPLOYEE LABOR RELATIONS BOARD

In re:

LUNA COUNTY,

and

PELRB Case No. 319-24

AMERICAN FEDERATION OF
STATE COUNTY AND MUNICIPAL
EMPLOYEES, COUNCIL 18,

Joint Petitioners.

ORDER

THIS MATTER comes before the Public Employee Labor Relations Board at its regularly scheduled meeting on November 12, 2024, upon the Joint Petition filed August 29, 2024, to amend the Certification of the bargaining unit to reflect the accretion of the positions of Patrol Lieutenants and Criminal Investigator Lieutenants to the existing bargaining unit. The Board, having reviewed the file, and being otherwise sufficiently informed, finds and concludes:

The Petition does not raise a question concerning representation and it presents sufficient facts including sufficient support among the accreted positions to be represented by Petitioner pursuant to NMAC 11.21.2.38.

Upon review of the submissions and no one appearing in opposition to the Amended Certification, the Board by a vote of 3-0 hereby affirms and ratifies the Amended Certification of Representation issued by the Executive Director on October 21, 2024, including the findings therein, with the following unit description including the accreted positions:

Non-probationary patrol squad employees (deputies, corporals and sergeants), all non-probationary detective's division employees (detectives and sergeants), all certified and non-certified non-probationary employees in the Court Security division (CSO, corporal and sergeant), Patrol Lieutenants and Criminal Investigator Lieutenants working in the Luna

41-PELRB-2024

County Sherriff's Department, excluding Probationary, confidential, supervisory, management employees and support specialists.

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Signed by:

Mark Myers

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MARK MYERS, CHAIR

11/19/2024

DATE

State of New Mexico

Public Employee Labor Relations Board



Amended Certification of Representation

The undersigned hereby certifies that American Federation of State, County, and Municipal Employees, Council 18 (Union), has demonstrated a sufficient basis pursuant to NMAC 11.21.2.38 to compel amendment of the certification of the bargaining unit with regard to the Luna County (Employer) employees it represents.

The undersigned makes this certification based on the following:

1. The Union and Luna County filed a Joint Petition on August 29, 2024, requesting amendment of the Certification of the unit of Luna County employees represented by the Union. On September 26, 2024 the Board's Executive Director determined that the Petition was facially valid.
2. On October 15, 2024, Employer certified that the Notice required by NMAC 11.21.2.15 had been posted for at least 10 business days.
3. On October 21, 2024, a Card Check was conducted indicating 75% support among the employees to be accreted.
4. The Petition does not raise a question concerning representation and it was accompanied by sufficient showing of interest from the employees to be accreted. Accordingly, certification of the bargaining unit shall be, and hereby is, amended to reflect its current description as follows:

Non-probationary patrol squad employees (deputies, corporals and sergeants), all non-probationary detective's division employees (detectives and sergeants), all certified and non-certified non-probationary employees in the Court Security division (CSO, corporal and sergeant), Patrol Lieutenants and Criminal Investigator Lieutenants working in the Luna County Sherriff's Department, excluding Probationary, confidential, supervisory, management employees and support specialists.

ISSUED in Albuquerque, New Mexico on this 21 day of Oct, 2024 by:

PUBLIC EMPLOYEE LABOR RELATIONS BOARD


Thomas J. Griego
Executive Director



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

In re:

LUNA COUNTY,

Joint Petitioner,

and

PELRB 319-24

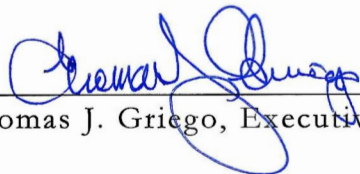
**AMERICAN FEDERATION OF
STATE, COUNTY AND MUNICIPAL
EMPLOYEES, COUNCIL 18,**

Joint Petitioner,

On October 21, 2024, pursuant to NMAC 11.21.2.33, after resolving all unit composition issues and challenges to the validity of interest cards submitted by the union, and after the expiration of the intervention period, there being no intervention filed, I compared the union's showing of interest with the employee list provided by the employer. The following is the result of that comparison:

1.	Total Number of Employees in group to be accreted	<u>4</u>
2.	50% of Employees in Bargaining Unit Equals:	<u>2</u>
3.	Total Interest Cards Indicating Support	<u>3</u>
4.	Number of Challenged Cards	<u>0</u>
	Challenged Cards Rejected By Director	<u>0</u>
	Challenged Cards Accepted By Director	<u>0</u>
5.	Percent of Employees in Bargaining Unit indicating support	<u>75%</u>

WHEREFORE, the showing of interest demonstrates majority support for NMSU-NEA so that certification of its recognition as the exclusive representative of the unit in question shall issue.



Thomas J. Griego, Executive Director

Date: October 21, 2024