

42-PELRB-2024

STATE OF NEW MEXICO PUBLIC EMPLOYEE LABOR RELATIONS BOARD

In re:

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

Petitioner,

and

PELRB No. 320-24

**BOARD OF COUNTY COMMISSIONERS
OF BERNALILLO COUNTY,**

Respondent.

ORDER

THIS MATTER comes before the Public Employee Labor Relations Board at its regularly scheduled meeting on November 12, 2024, upon the Petition filed September 10, 2024, to Certify the Petitioner as the exclusive representative of a bargaining unit consisting of the positions of Certified Peer Support Worker, Clinical Social Worker/Clinical Counselor, Community Case Manager, Substance Abuse Technician, Substance Abuse Technician-Lead, Substance Abuse Technician-Trainee, Training Specialist/Trainer, all in the Behavioral Health Department of Bernalillo County. 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 Certification of Representation issued by the Executive Director on October 15, 2024, including the findings therein, with the following unit description:

42-PELRB-2024

Certified Peer Support Worker, Clinical Social Worker/Clinical Counselor, Community Case Manager, Substance Abuse Technician, Substance Abuse Technician-Lead, Substance Abuse Technician-Trainee, Training Specialist/Trainer.

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



Certification of Representation

The undersigned hereby certifies that AFSCME, Council 18 (Union) has demonstrated a sufficient basis such that it should be recognized as the exclusive bargaining representative for those employees in the following bargaining unit comprised of employees of the Bernalillo County Behavioral Health Department:

Certified Peer Support Worker, Clinical Social Worker/Clinical Counselor, Community Case Manager, Substance Abuse Technician, Substance Abuse Technician-Lead, Substance Abuse Technician-Trainee, Training Specialist/Trainer.

The undersigned makes this certification based on the following:

1. By a Petition filed September 10, 2024 the Union informed Bernalillo County that it was prepared to demonstrate sufficient support among employees in the unit for its recognition as the exclusive collective bargaining representative for those employees.
2. On September 11, 2024, the Board's Executive Director determined that the Petition was facially valid and that a preliminary review demonstrated a sufficient showing of interest to proceed toward an election or card check.
3. On September 24, 2024 the Employer provided a copy of a unit employee list. That list shows that there were 36 employees in the unit thereby confirming the preliminary finding of sufficiency.
4. On October 15, 2024, the Director conducted a card check pursuant to § 10-7E-14(C) NMSA 1978. The results of were that 26 authorization cards were submitted out of a total of 36 eligible employees. Therefore, the showing of interest demonstrates majority support for AFSCME, Council 18 so that this certification of its recognition as the exclusive representative of the unit described above shall issue. The undersigned hereby certifies that the Union is certified as the exclusive bargaining representative for the unit described above. This Certification will be reviewed by the Board at its November 12, 2024, meeting.

ISSUED in Albuquerque, New Mexico on this 15th day of October, 2024 by:

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

A handwritten signature in blue ink, appearing to read "Thomas J. Griego". The signature is written in a cursive style and is positioned above a horizontal line.

Thomas J. Griego, Executive Director



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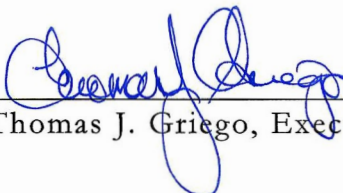
Respondent

RESULTS OF CARD CHECK

On October 15, 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 Bargaining Unit	<u>36</u>
2.	50% of Employees in Bargaining Unit Equals:	<u>18</u>
3.	Total Interest Cards Indicating Support	<u>26</u>
4.	Number of Challenged Cards	<u>10</u>
	Challenged Cards Rejected By Director	<u>10</u>
	Challenged Cards Accepted By Director	<u>0</u>
5.	Percent of Employees in Bargaining Unit indicating support	<u>72%</u>

WHEREFORE, the showing of interest demonstrates majority support for AFSCME, Council 18 so that certification of its recognition as the exclusive representative of the unit in question shall issue.



Thomas J. Griego, Executive Director

Date: October 15, 2024