

# 47-PELRB-2024

## STATE OF NEW MEXICO PUBLIC EMPLOYEES LABOR RELATIONS BOARD

**UNITED HEALTH PROFESSIONALS  
OF NEW MEXICO, AFT, AFL-CIO,**

**Petitioner,**

**and**

**PELRB No. 304-22**

**UNIVERSITY OF NEW MEXICO SANDOVAL  
REGIONAL MEDICAL CENTER,**

**Respondent.**

### **ORDER**

**THIS MATTER** comes before the Public Employee Labor Relations Board at its regularly scheduled meeting on November 11, 2024, upon the District Court’s Opinion and Order issued on November 1, 2024 in D-202-CV-2023-09660, reversing this Board’s Order 59-PELRB-2023, and concluding that *pro re nata* employees at the Sandoval Regional Medical Center (PRNs) are not “regular” employees as that term is defined by NMSA 1978 § 10-7E-4(Q), and therefore, not public employees under the Public Employee Bargaining Act. Having reviewed the District Court’s Opinion and Order, the PELRB case file, and being otherwise sufficiently informed, the Board concludes that the practical result of the Court’s November 1, 2024 Opinion and Order is that an unresolved Petition for Recognition remains before this Board in PELRB Case No. 304-22, requiring a determination whether the petitioned-for unit, without the PRNs, is “appropriate” as required by NMSA 1978 § 10-7E-13(A), and , if so, whether majority support without reference to the PRNs existed at the time the Petition for Recognition was originally filed for Certification of the bargaining unit and its representative should issue. In the alternative, a determination whether there existed at the time of the Petition filing, sufficient support without reference to the PRNs so that the parties should proceed to an election pursuant to NMSA 1978 § 10-7E-14(A).

**WHEREFORE**, staff are directed to determine the appropriateness of the petitioned-for unit excluding PRN employees. Following that determination, staff shall conduct a card check excluding PRNs and either issue a Certification of Representation or schedule an election as may be appropriate under the Act.

**47-PELRB-2024**

**PUBLIC EMPLOYEE LABOR RELATIONS BOARD**

Signed by:

*Mark Myers*

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**MARK MYERS, BOARD CHAIR**

11/19/2024

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**DATE**