



MINUTES
STATE OF NEW MEXICO
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Mark Myers, Board Chair

Regular Meeting

Tuesday January 7, 2025, 10:00 a.m.

Via videoconference

1. **Call to Order.** Chair Myers called the meeting to Order at 10:00 a.m. Vice-Chair Nash and Member Nelson were also in attendance, constituting a quorum.
2. **Approval of Agenda.** Vice-Chair Nash moved to approve the agenda. The motion was seconded by Member Nelson and carried unanimously upon a roll call vote.
3. **Approval of November 12, 2024, Meeting Minutes.** Member Nelson moved to approve the November 12, 2024 minutes. The motion was seconded by Vice-Chair Nash and carried 3-0 upon a roll call vote.
4. **Public Comments.** There were no public comments.
5. **Voluntary Dismissals.** *LAFF Local 5441 v. Torrance County*; PELRB 119-24; *AFSCME Council 18 v. Luna County*; PELRB 126-24; *AFSCME Local 2745 v. Valencia County*; PELRB 129-24; *UE Local 1466 & UNM*; PELRB 324-24 The administrative assistant informed the Board that these cases had been dismissed after the Complaints and Petition were withdrawn prior to a hearing in each instance. Therefore, no action by the Board is called for, and the dismissals are presented for the Board's information only. Staff were instructed to close the files
6. **Dismissal of Petition.** *FOP Lea County Lodge 9 & Hobbs*; PELRB 325-24. The administrative assistant explained that the case had been dismissed after the Petition was found invalid and the Petitioner did not cure the defects within the allotted time. Vice-Chair Nash moved to affirm the dismissal. The motion was seconded by Member Nelson and carried unanimously upon a roll call vote.
7. **Approval of New Certifications and Amended Certifications.**
 - a. *UHPNM & UNMH-SRMC*; PELRB 304-22. The Administrative assistant informed the Board that after the District Court's decision on appeal ruled that PRNs were not regular employees covered by the PEBA, the original Petition was left unresolved. The Executive Director had determined that the unit without the PRNs was appropriate, and a Card Check was conducted on November 19, 2024 which indicated that a majority of the

employees in the unit as approved supported UHPNM as the exclusive representative for collective bargaining; a Certification of Representation was issued the same day. Member Nelson moved to affirm the Card Check Results and ratify the Certification and the findings therein. The motion was seconded by Vice-Chair Nash and carried 3-0 upon a roll call vote. Subsequent to the vote, Member Nelson noted that there was a typographical error on the Card Check Results. After a brief discussion, Vice-Chair Nash moved that the previous affirmation and ratification be rescinded and that the Board affirm the Certification of Representation and the findings therein and staff be instructed to correct the clerical error in the Card Check Results and re-issue them. The motion was seconded by Member Nelson and carried 3-0 upon a roll call vote.

- b. *United Steelworkers & South Central Solid Waste Authority*; PELRB 322-24. The administrative assistant informed the Board that the Union had filed a Petition for Certification on November 7, 2024. After the parties resolved their disagreement regarding the composition of the unit and the intervention period had passed without intervention, a Card Check was Conducted on December 16, 2024 which indicated that a majority of the employees in the unit as approved supported the Union as the exclusive representative for collective bargaining; a Certification of Representation was issued the same day. Member Nelson moved to affirm the Card Check Results and ratify the Certification and the findings therein. The motion was seconded by Vice-Chair Nash and carried 3-0 upon a roll call vote.
- c. *NMHUFSA & NMHU*; PELRB 323-24. The administrative assistant informed the Board that the Union had filed a Petition for Accretion on November 13, 2024. After the intervention period had passed without intervention, a Card Check was Conducted on December 30, 2024 which indicated that a majority of the employees in the unit supported the Union as the exclusive representative for collective bargaining; a Certification of Representation was issued the same day. Member Nelson moved to affirm the Card Check Results and ratify the Certification and the findings therein. The motion was seconded by Vice-Chair Nash and carried 3-0 upon a roll call vote. Staff were instructed to prepare an Order after the time for objection had passed.

8. **Hearing Officer's Report & Recommended Decisions.** *AFSCME 3422 v. New Mexico Corrections Dept.*; PELRB 104-24 and *UHPNM v. UNM-SRMC*; PELRB 116-24. The Board was informed that decisions in these cases had been issued by the Executive Director but the time for requesting review by the Board and/or responding to such requests had not yet passed. No action was taken by the Board

13. **Staff Reports.**

- a. New Director to Start January 17, 2024. Pilar Vaile, the new Director, addressed the Board and stated she was eager to begin her tenure on January 17, 2024.
- b. Lease update. The administrative assistant informed the Board that a new lease on the PELRB offices had been negotiated and it was at the DFA undergoing the necessary bureaucratic processes.
- c. FY24 Audit Report. The Board was informed that the FY24 financial audit had been completed and a report issued that contained no adverse findings. The Report had not been

released for publication by the State Auditor yet, but staff would post it on the website once approval has been given.

- d. Pending Litigation. The administrative assistant directed the Board's attention to a memo provided by the Board's counsel, which provided updates to the cases on appeal. Dina Holcomb, counsel for the City of Hobbs, informed the Board that the appeal in D-202-CV-2024-07148 (PELRB 303-24) had been dismissed without prejudice for improper venue.

14. **Adjournment.** After a brief discussion, the next meeting was scheduled for Thursday, February 6, 2025 at 10:00 a.m. in the PELRB offices. Vice-chair Nash moved to adjourn. The motion was seconded by Member Nelson and carried 3-0 upon a roll call vote. The time was 10:45 a.m.