

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

**In re:**

**NEW MEXICO PARK RANGER'S  
LAW ENFORCEMENT ASSOCIATION**

**Petitioner,**

**and**

**PELRB 301-20**

**NEW MEXICO ENERGY, MINERALS  
AND NATURAL RESOURCES DEPARTMENT,**

**Respondent.**

**ORDER**

**THIS MATTER** comes before the Public Employee Labor Relations Board on the Respondent's objection to the conduct of the election and for review of the Election Supervisor's initial certification of the results of the secret ballot election for union representation on December 2, 2020. After reviewing the certification of votes, the motion and response and hearing oral argument, the Board determined the Respondent's objection was without merit and that there were sufficient valid votes submitted in support of union representation to certify the election results in favor of representation by the Petitioner. The Board being sufficiently advised voted 3-0 to ratify the election results.

**THEREFORE, THE BOARD** certifies the election results and the Director shall close the file.

**PUBLIC EMPLOYEE LABOR RELATIONS BOARD**

1/15/2021  
DATE

Marianne Bowers  
MARIANNE BOWERS, BOARD CHAIR

STATE OF NEW MEXICO  
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

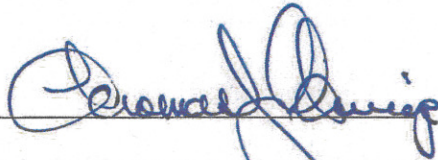
RESULTS OF SECRET BALLOT ELECTION

EMPLOYER: New Mexico Energy, Minerals And Natural Resources Department  
LABOR ORGANIZATION: New Mexico Park Ranger's Law Enforcement Association  
PELRB CASE NO. 301-20  
DATE OF ELECTION: Wednesday, December 2, 2020  
LOCATION OF ELECTION Via electronic balloting and mail-in balloting

1.	Total Number Of Eligible Voters	<u>26</u>
2.	40% of The Eligible Voters Equals:	<u>10</u>
3.	Total Ballots Cast	<u>11</u>
4.	Was the 40% Requirement Met?	<u>Yes</u>
5.	Total Number of Votes for NMPRLEA	<u>7</u>
6.	Total Number of Votes for "No Representation"	<u>0</u>
7.	Number of Challenged Ballots	<u>5</u>
	Challenged Ballots Rejected By Parties	<u>4</u>
	Challenged Ballots Agreed To By Parties	<u>1</u>
8.	Invalid Votes	<u>4</u>

THE ABOVE IS A TRUE STATEMENT OF THE ELECTION RETURNS.

Election Supervisor



Date: 12-3-2020

The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulation were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally.

Observer:

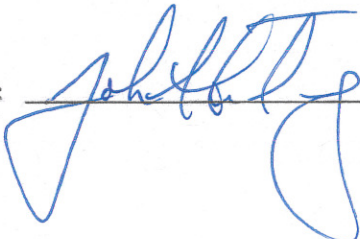


For EMNRD

Date:

Dec. 3, 2020

Observer:



For NMPRLEA

Date:

3 December 2020

# State of New Mexico

## Public Employee Labor Relations Board

2929 Coors N.W. Suite 303 • Albuquerque, NM 87120  
(505) 831-5422 Telephone • (505) 831-8820 Facsimile

### Certification of Representation

The undersigned hereby certifies that **New Mexico Park Ranger's Law Enforcement Association** (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 **New Mexico Energy, Minerals and Natural Resources Department**:

**Positions that require law enforcement certification holding the working titles Park Ranger Supervisors, Park Ranger Specialists, Law Enforcement Certified Training Coordinators and Park Rangers, excluding Probationary, Managerial, Confidential, or Supervisory Employees, such as Park Superintendents, Park Superintendents Senior and Park Managers.**

The undersigned makes this certification based on the following:

1. By a Petition filed February 19, 2020, the Union informed the New Mexico Energy, Minerals and Natural Resources Department 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 February 19, 2020, the Board's Executive Director determined that the Amended Petition was facially valid and that a preliminary review demonstrated a sufficient showing of interest to proceed toward an election.
3. A Hearing to determine composition of the bargaining unit was scheduled to take place on May 13, 2020 but rescheduled to July 2, 2020 and continued on June 7, 2020. The Hearing Officer issued his determination regarding the appropriate bargaining unit composition on August 25, 2020.
4. On October 25, 2020, the Employer provided a copy of a unit employee list showing that there are 26 employees in the unit thereby confirming the preliminary finding of sufficiency.
5. On November 4, 2020, the parties entered into a Consent Election Agreement approved by the Executive Director and the Board on

December 1, 2020 calling for an election to be held December 2, 2020 by a hybrid mail-in and electronic balloting.

6. The election took place as called for in the CEA followed by a ballot count on December 3, 2020. The election results were: 11 ballots cast out of a total of 26 eligible voters. Therefore, more than 40% of the eligible voters cast ballots. Seven, a majority of the ballots cast, were in favor of representation by the Union. No counted ballots were cast for "No Representation". Five of the mailed-in ballots were challenged by the election supervisor for failure to follow ballot security instructions. Of those, one was agreed by the parties to be counted; the remaining four were not. The parties declined to have the election supervisor resolve his challenge to the remaining four ballots.
7. Accordingly, after review by the PELRB at its January 6, 2021 meeting, the undersigned hereby certifies that the Union is certified as the exclusive bargaining representative for the unit described above.

ISSUED in Albuquerque, New Mexico on this 6<sup>th</sup> day of January 2021 by:

PUBLIC EMPLOYEE LABOR RELATIONS BOARD



Thomas J. Griego  
Executive Director