

5-PELRB-2023

STATE OF NEW MEXICO PUBLIC EMPLOYEES LABOR RELATIONS BOARD

STATE PERSONNEL OFFICE
and EARLY CHILDHOOD EDUCATION
AND CARE DEPARTMENT,

Petitioner,

and

PELRB No. 316-22

CWA LOCAL 7076,

Respondent.

ORDER

THIS MATTER comes before the Public Employee Labor Relations Board at its regularly scheduled meeting on February 7, 2023 for review of the Executive Director's report clarifying the unit as required by NMAC 11.21.2.37 and ratification of the Amended Certificate of Representation issued January 20, 2023.

Upon review of the submissions and no one appearing in opposition to the Amended Certification, the Board by a vote of 2-0 hereby approves and ratifies the Amended Certificate of Representation issued by the Executive Director on January 20, 2023.

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

DocuSigned by:

Hon. Nan Nash

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HON. NAN NASH, BOARD CHAIR

2/13/2023

DATE



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Certification of Representation

The undersigned hereby certifies that **Communication Workers of America (Union)** has demonstrated a sufficient basis pursuant to NMAC 11.21.2.37 to clarify the bargaining unit comprised of employees of the **State of New Mexico Early Childhood Education and Care Department** to reflect the current job classification titles that have changed since the original certification of a different unit including those positions. The resulting certified unit is described as follows:

Educational Administrators, B9039 (within School Based Pre-K division only); Medical Secretaries, R6013 (within FF Program only); Management Analysts, C1111 (within FF Program only); Office Clerks, General, R9061 (within FF Program only); Registered Nurses, K1111 (within FF Program only); Secretaries, Except Legal, Medical, And Executive, R6014 (within FF and FIT Programs only); Social & Community Service Coordinators, B9151 (within FIT Program only)

The undersigned makes this certification based on the following:

1. A bargaining unit represented by CWA at PED was originally certified on **December 13, 2004** that included the aforementioned positions. After ECECD was created as a distinct agency, PED employees as described above were assigned to it without disputing their CWA-covered status.
2. By a Joint Petition for Unit Clarification filed **January 10, 2023** the parties jointly requested clarification of the prior Certification of the Exclusive Representative with regard to the employees of the above-described unit.
3. On **January 10, 2023** the Board's Executive Director determined that the Petition was facially valid.
4. The Petition does not raise a question concerning representation and it presents sufficient facts to show that this certification should issue.

ISSUED in Albuquerque, New Mexico on this 20th day of January, 2023 by:

PUBLIC EMPLOYEE LABOR RELATIONS BOARD


Thomas J. Griego
Executive Director

