

# 11-PELRB-2023

## STATE OF NEW MEXICO PUBLIC EMPLOYEES LABOR RELATIONS BOARD

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

**Complainant,**

v.

**PELRB No. 111-22**

**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 March 7, 2023 upon a Motion by University of New Mexico Sandoval Regional Medical Center for a stay of implementation of this Board's December 1, 2022 Order in this matter, 28-PELRB-2022. Prior to its Motion for a Stay, SRMC filed a Notice of Appeal from the same Board Order and the case is currently pending before the 2nd Judicial District Court as D-202-CV-2022-07805.

The Board heard argument of counsel, James Montalbano of Youtz & Valdez, P.C. appearing for the Union, UHPNM, and Melissa Kountz, appearing on behalf of the Employer, UNM SRMC. After review of the submissions and considering argument of Counsel, the Board voted 2-0 as follows:

1. The Public Employee Labor Relations Board has jurisdiction over the Employer's Motion to Stay Implementation of its Order 28-PELRB-2022, notwithstanding its Notice of Appeal filed December 29, 2022.
2. UNM SRMC's Motion for a Stay is without merit.

**WHEREFORE**, UNM SRMC's Motion for a Stay shall be, and is hereby **DENIED**.

**PUBLIC EMPLOYEE LABOR RELATIONS BOARD**

DocuSigned by:

*Nan Nash*

**NAN NASH, BOARD CHAIR**

3/8/2023

**DATE**