

STATE OF NEW MEXICO
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

In re:

23-PELRB-2012

NEW MEXICO COALITION OF PUBLIC SAFETY OFFICERS;
COMMUNICATIONS WORKERS OF AMERICA, LOCAL 7911
Petitioner,

v.

PELRB No. 314-10

TOWN OF BERNALILLO,

Respondent

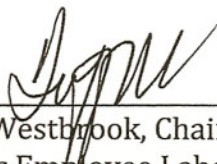
ORDER

THIS MATTER comes before the Public Employee Labor Relations Board for ratification of the Executive Director's Certification of Election Results certifying the results of a secret ballot election showing an insufficient number of those in the bargaining unit casting ballots to constitute a valid election.

Upon a 3-0 vote at the Board's March 14, 2012 meeting;

IT IS HEREBY ORDERED that the Executive Director's Certification of Election Results shall be and in hereby ratified as are the results of the secret ballot election showing an insufficient number of those in the bargaining unit casting ballots to constitute a valid election

Date: 3/19/12



Duff Westbrook, Chairman
Public Employee Labor Relations Board



314-10

STATE OF NEW MEXICO

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

SUSANA MARTINEZ
Governor

THOMAS J. GRIEGO
Executive Director

Duff Westbrook, Board Chair
Wayne Bingham, Vice-Chair
Roger E. "Bart" Bartosiewicz, Board Member

2929 Coors Road N.W., Suite #303
Albuquerque, NM 87120
(505) 831-5422
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CERTIFICATION OF ELECTION RESULTS

The undersigned hereby certifies that the **COALITION OF PUBLIC SAFETY OFFICERS** (Union) after a secret ballot election has not demonstrated sufficient support among the **TOWN OF BERNALILLO** (Employer) employees in the unit described as follows:

All Town of Bernalillo certified police officers and animal control officers except probationary employees, confidential employees, management employees, and supervisory employees.

The undersigned makes this certification based on the following:

1. On September 24, 2010 the Union filed a Petition for Initial Certification of a New Bargaining Unit supported by the sufficient submission of signed membership/ authorization cards from employees in the unit.
2. On September 29, 2010 the Employer provided to the PELRB and to the Union a copy of proposed unit employee list. That list showed that there were 18 employees in the proposed unit. After a pre-election conference held January 17, 2012, which the union did not attend the number of eligible voters was reduced to 13.
3. On January 17, 2012 the Executive Director entered an Order subsequently approved by the Board directing that an election be held February 21, 2012 from 2:30 p.m. to 3:30 p.m. at the Bernalillo Police Department Training Room 739 Camino del Pueblo, Bernalillo, New Mexico.
4. Following a secret ballot election as scheduled, a ballot count was held at the referenced location immediately following the closing of the polls at 3:31 p.m. The total number of eligible voters was 13 and 4 voters cast ballots; thus, fewer than 40% of the eligible voters cast ballots. Of the 4 ballots cast all were in favor of the union, none were cast for no representation. There were no challenged or invalid votes. Accordingly, the undersigned hereby certifies that the tally shows fewer than 40% of the employees in the unit voted and therefore pursuant to Board Rule NMAC 11.21.2.31 no collective bargaining representative was selected.

ISSUED in Albuquerque, New Mexico on this 21st day of February, 2012 by:


Thomas J. Griego, Executive Director
New Mexico Public Employee Labor
Relations Board

STATE OF NEW MEXICO PUBLIC EMPLOYEE LABOR RELATIONS BOARD

RESULTS OF SECRET BALLOT ELECTION

EMPLOYER: TOWN OF BERNALILLO
LABOR ORGANIZATION: COALITION OF PUBLIC SAFETY OFFICERS/CWA LOCAL 7911
DATE OF ELECTION: FEBRUARY 21, 2012
LOCATION OF ELECTION: 739 Camino del Pueblo-BPD Training Room

1.	Total Number Of Eligible Voters	13
2.	40% Of The Eligible Voters Equals	5
3.	Total Number Of Ballots Cast	<u>4</u>
4.	Was 40% Requirement Met	<u>No</u>
5.	Total Number Of "YES" Votes	<u>4</u>
6.	Total Number Of "NO" Votes	<u>0</u>
7.	Number Of Challenged Ballots	<u>0</u>
	Challenged Ballots Rejected By Parties	<u>0</u>
	Challenged Ballots Agreed To By Parties	<u>0</u>
8.	Invalid Votes	<u>0</u>

The above is a true statement of the election returns.

Election Supervisor

Cecilia Cruz

Date: 2-21-12

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:

Anita

For: TOWN OF BERNALILLO Date: 2-21-12

Observer:

Paula

observer
For: CPSOA/CWA 7911 Date: 2-21-12