

STATE OF NEW MEXICO
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

In re:

NMCP SO

Petitioner,

vs.

PELRB CASE NO. 301-17

COLFAX COUNTY

Respondent.

ORDER

THIS MATTER comes before the Public Employee Labor Relations Board on a Petition by NMCP SO for certification of the bargaining unit as the exclusive bargaining representative through voluntary recognition by Colfax County pursuant to 11.21.2.39 NMAC. The exclusive bargaining representation includes all non-probationary sworn and commissioned Sheriff's Department Deputies, Sergeants, Lieutenants and Captains employed by Colfax County and excludes probationary, confidential, supervisory and management employees from its representation.

At its regularly scheduled meeting on April 25, 2017, Director Griego provided the Board with the results of a card count conducted March 15, 2017 confirming sufficient support for voluntary recognition of NMCP SO as the exclusive representative for the bargaining unit described above. The Board being sufficiently advised votes 3-0 to:

- A. Ratify the results of the card count; and,
- B. Issue a Certification of Representation for the bargaining unit described above.

THEREFORE THE BOARD Orders Director Griego to publish this Order and
issue Certification.

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

5-2-17
DATE



DUFF WESTBROOK, BOARD CHAIR



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 **the New Mexico Coalition of Public Safety Officers** (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 **Colfax County Sheriff's Department**:


All non-probationary sworn and commissioned Sheriff's Department Deputies, Sergeants, Lieutenants and Captains employed by Colfax County, excluding probationary, confidential, supervisory and management employees

The undersigned makes this certification based on the following:

1. By a Petition filed **January 4, 2017** the Union informed **Colfax County** 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 **January 9, 2017** the Board's Executive Director determined that the Petition was facially valid and that a preliminary review demonstrated a sufficient showing of interest to proceed toward an election.
3. On **February 21, 2017** the Employer provided a copy of a unit employee list. That list shows that there were seven employees in the unit thereby confirming the preliminary finding of sufficiency.
4. On **March 10, 2017** the parties entered into a Voluntary Recognition Agreement memorialized by the Executive Director calling for a card count on **March 15, 2017**.
5. The card count took place as called for. Interest cards for eight employees were submitted and counted. However, three of those were successfully challenged leaving five valid interest cards, or 71% of the putative bargaining unit. Accordingly, after review by the PELRB at its **April 4, 2017** 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 4th day of April, 2017 by:

PUBLIC EMPLOYEE LABOR RELATIONS BOARD


Thomas J. Griego
Executive Director





STATE OF NEW MEXICO
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

SUSANA MARTINEZ
Governor

Duff Westbrook, Chair
Roger E. "Bart" Bartosiewicz, Vice-Chair
John Bledsoe, Member

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THOMAS J. GRIEGO
Executive Director

March 15, 2017

NMCP SO c/o Adrian Terry, Att'y at Law
P.O. Box 846
Edgewood, New Mexico 87105

Kamm & McConnell, L.L.C.
P.O. Box 1148
Raton, New Mexico 87740
Attn: Terrence R. Kamm, Esq.

Re: ***NMCP SO & Colfax County; PELRB 301-17***

Dear Messrs. Terry and Kamm:

This letter is to memorialize the card count that was conducted earlier this afternoon. The total number of employees eligible for inclusion in this unit is seven. Interest cards for eight employees were submitted. However, three of those were successfully challenged leaving five valid interest cards, or 71% of the putative bargaining unit. Pursuant to NMAC 11.21.2.39 I have verified that the majority of employees in this appropriate collective bargaining unit wish to be represented by NMCP SO for collective bargaining in Colfax County and, therefore, your agreement for voluntary recognition is approved. I will prepare a Certification of Representation to be placed on the Board's agenda for its meeting on April 4, 2017.

Sincerely,

PUBLIC EMPLOYEE LABOR RELATIONS BOARD


Thomas J. Griego
Executive Director