

STATE OF NEW MEXICO  
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

In re:

COMMUNICATION WORKERS OF AMERICA,  
Petitioner,

v.

PELRB CASE NO. 310-17

THIRD JUDICIAL DISTRICT ATTORNEY'S OFFICE,  
Employer.

ORDER

**THIS MATTER** comes before the Public Employee Labor Relations Board on a Petition by Communication Workers of America ("CWA") for certification of a new bargaining unit. At its regularly scheduled meeting on March 6, 2018, Director Griego provided the Board with the certified results of the election held on February 16, 2018. The election results established majority support for representation by the CWA. The Board being sufficiently advised finds with a vote of 3-0:

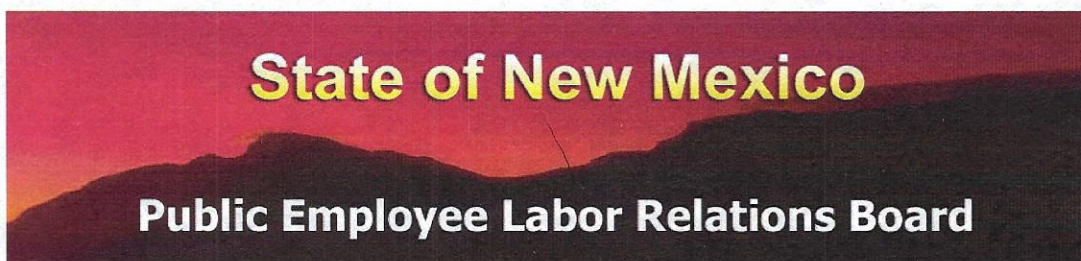
1. The election results complied with 11.21.2.1 *et seq.* NMRA;
2. 40% of eligible voters participated in the election; and
3. The majority of votes supported representation by CWA.

**THEREFORE THE BOARD** orders Director Griego to issue certification of representation of the Third Judicial District Attorney's Office by CWA.

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

2-7-18  
DATE

  
DUFF WESTBROOK, BOARD CHAIR



### Certification of Representation

The undersigned hereby certifies that Communications Workers of America (Union) has demonstrated a sufficient basis for recognition as the exclusive bargaining representative for those employees in the following bargaining unit comprised of employees of the Third Judicial District Attorney's Office:

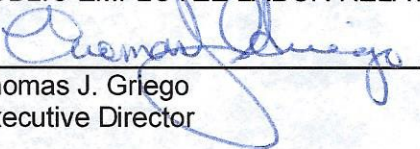
Trial Attorneys, Assistant Trial Attorneys, Senior Trial Attorneys and Deputy District Attorneys, excluding All Probationary, Managerial, Confidential, or Supervisory Employees as defined by the PEBA.

The undersigned makes this certification based on the following:

1. By a Petition filed November 22, 2017 the Union informed the Third Judicial District Attorney's Office that it was prepared to demonstrate sufficient support for its recognition as the exclusive collective bargaining representative for certain employees.
2. On November 22, 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 December 14, 2017 the Employer provided a copy of a unit employee list. That list showed that there were 11 employees in the unit confirming the preliminary finding of sufficiency.
4. On February 2, 2018 the parties entered into a Consent Election Agreement approved by the Executive Director and the Board and calling for an election February 16, 2018.
5. The election took place as called for in the Agreement immediately followed by a ballot count. The election results were: 11 ballots cast out of a total of 11 eligible voters. Therefore, more than 40% of the eligible voters cast ballots. 9, a majority of the ballots cast, were in favor of representation by the Union. 2 ballots were cast for "No Representation". Accordingly, after review by the PELRB at its March 6, 2018 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 March, 2018 by:

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

  
Thomas J. Griego  
Executive Director




STATE OF NEW MEXICO  
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

RESULTS OF SECRET BALLOT ELECTION


EMPLOYER: Third Judicial District Attorney's Office  
LABOR ORGANIZATION: Communications Workers of America  
PELRB CASE NO. 310-17  
DATE OF ELECTION: Friday, February 16, 2018  
LOCATION OF ELECTION Third Judicial District Attorney's Office Main Conference Room  
845 N. Motel Blvd, Suite D  
Las Cruces, N.M. 88007


1.	Total Number of Eligible Voters	<u>11</u>
2.	40% of Eligible Voters Equals:	<u>4</u>
3.	Total Ballots Cast	<u>11</u>
4.	Was the 40% Requirement Met?	<u>Yes</u>
5.	Total Number of Votes for Communications Workers of America	<u>9</u>
6.	Total Number of Votes for "No Representation"	<u>2</u>
7.	Number of Challenged Ballots	<u>0</u>
	Challenged Ballots Rejected By Parties	<u>/</u>
	Challenged Ballots Agreed To By Parties	<u>/</u>
8.	Invalid Votes	<u>/</u>

THE ABOVE IS A TRUE STATEMENT OF THE ELECTION RETURNS.

Election Supervisor  Date: February 16, 2018

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 Employer Date: February 16, 2018

Observer:  For Union Date: February 16, 2018