

**STATE OF NEW MEXICO
PUBLIC EMPLOYEE LABOR RELATIONS BOARD**

IN THE MATTER OF

**COMMUNICATIONS WORKERS
OF AMERICA, AFL-CIO\CLC,**

Petitioner,

and

Case No. CP 28-95(S)

STATE OF NEW MEXICO,

Public Employer.

ORDER OF REALIGNMENT

This matter comes before the State of New Mexico Public Employee Labor Relations Board (hereinafter referred to as "Board" or "PELRB") upon the *Petition for Unit Realignment* filed by the Communications Workers of America, AFL-CIO\CLC (hereinafter referred to as "petitioner"), pursuant to the Rules and Regulations of the PELRB, specifically, Rule 2.30, and the applicable provisions of the Public Employee Bargaining Act, §§ 10-7D-1 through 10-7D-26, NMSA 1978 (hereinafter referred to as "PEBA" or "Act").

As a result of the petition having been processed and investigated in accordance with the Board's rules and regulations and reviewed within the appropriate and relevant provisions of the Act, the PELRB finds as follows:

1. Petitioner is a "labor organization" as that term is defined in PEBA § 4(J).

2. The State is a "public employer" as that term is defined in PEBA § 4(Q).

3. In *CWA and State of New Mexico*, 1 PELRB No. 8 (March 17, 1995)(hereinafter referred to as "*CWA*"), the petitioner was certified by the PELRB as the incumbent labor organization and exclusive collective bargaining representative for its existing bargaining units in the following State agencies: Department of Health, Environment Department, Office of Cultural Affairs, Agency on Aging, and Commission on Status of Women.

4. In *CWA* the Board noted that all of those units had been determined to be appropriate by the State Personnel Board prior to January 1, 1992. PEBA § 24 states that "[b]argaining units established prior to January 1, 1992 shall continue to be recognized as appropriate for the purposes of the Public Employee Bargaining Act [10-7D-1 to 10-7D-26 NMSA 1978]." The Board finds that the bargaining units identified in *CWA* continue to be appropriate under the Act.

5. On June 6, 1994, the Board certified petitioner as the exclusive representative for certain employees in an appropriate unit at Miners' Colfax Medical Center, Case Nos. CP 23-93(S) and CP 24-93(S)(hereinafter referred to as "*Miners*"), based on the results of a representation election. The appropriate unit determination and certification were rendered in accordance with the Act.

6. The intent of petitioner, the State, and the PELRB is to realign petitioner's existing collective bargaining units into a unit which effectuates the legislative intent in PEBA § 13(A) and to include only those job classifications subject to the existing PELRB certifications in *CWA* and *Miners*.

7. Under PEBA § 13(A), horizontal units organized by occupational groups constitute an appropriate bargaining unit for employees subject to PELRB certifications in the following occupational groups: blue collar, secretary/clerical, technical, paraprofessional, and professional. The State does not object to the petitioner's realignment of existing units into one unit.

8. The history of collective bargaining between the affected state agencies and petitioner would be well served by the consolidation of existing units into one bargaining unit.

9. The principles of efficient administration of government would be best served by the realignment.

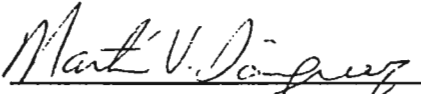
10. The Board finds the petition for realignment to be appropriate.

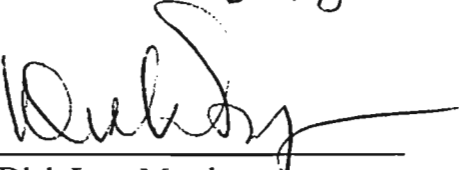
Based on these findings,

IT IS HEREBY ORDERED that all public employees in the job classifications set forth in Exhibit A at pp. 5-10, inclusive, attached hereto, at the agencies designated, for job classifications which are subject to previously issued PELRB certifications be realigned into one bargaining unit.

Except as identified in Exhibit A, excluded are all supervisory, confidential, managerial, probationary, emergency, and temporary employees as defined in the Act and the Board's rules and regulations.

DECIDED AND ENTERED by the New Mexico Public Employee Labor Relations Board this 13th day of March 1996.

By: 
Martín V. Domínguez, Chair

By: 
Dick Loy, Member

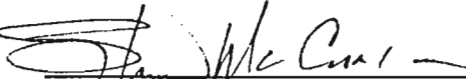
By: 
Sherman McCorkle, Member

EXHIBIT A

CWA BARGAINING UNITS

AA = Agency on Aging
CW = Commission on the Status of Women
E = Environment
H = Health
MCMC = Miners' Colfax Medical Center
OCA = Office of Cultural Affairs

BLUE COLLAR

Baker	H
Carpenter 2	OCA
Cook 1, 2	H, MCMC
Custodial Worker 1, 2	H, OCA, MCMC
Electrician 1	H, OCA, MCMC
Food Services Aide 1, 2	H, MCMC
Heating/Refrigeration Specialist 2	OCA
Laborer	OCA
Laundry Worker 1, 2	H, MCMC
Maintenance Lead Worker	H, MCMC
Maintenance Supervisor	OCA
Maintenance Worker 1, 2	H, OCA, MCMC
Museum Caretaker 1, 2	OCA
Painter	OCA
Plumber 1	H, MCMC
Plumber 2	H
Security Officer 1	MCMC
Steam Plant Operator 1, 2	H

SECRETARIAL/CLERICAL

Accounting Technician 1	H, MCMC, AA, CW
Accounting Technician 2	H, OCA, MCMC, AA, CW
Accounting Technician 3	H, MCMC, CW
Administrator 2, 3	H, OCA
Administrative Secretary	H, OCA, E, CW, AA
Clerk 1	H, MCMC
Clerk 2	H, OCA, MCMC
Clerk 3	H, MCMC
Clerk 4	H, MCMC
Clerk Specialist	H, OCA, E
Computer Operator 1, 2	H
Data Control Specialist	H
Key Entry Operator 1	H, MCMC
Key Entry Operator 2	H, MCMC
Key Entry Operator 3	H
Receptionist	H, OCA
Secretary 1	H, OCA, MCMC, AA, CW
Secretary 2	H, OCA, E, MCMC, AA, CW
Secretary 3	H, OCA, E, MCMC, CW
Storekeeper 1	H, MCMC
Storekeeper 2	H, MCMC
Storekeeper 3	H, OCA, MCMC
Typist 1, 2, 3	MCMC, AA
Word Processor	H, OCA
Word Processor, Senior	E, H
Word Processor Trainee	OCA

TECHNICAL

Audio Visual Specialist 1, 2	OCA
Laboratory Technologist 3	H
Lead Computer Operator	H
Medical Laboratory Technician 1	MCMC
Medical Laboratory Technician 2	H, MCMC
Medical Technologist	H, MCMC
Micro Computer Operator	H, E
Photographer Specialist	OCA
Respiratory Therapist 1	MCMC
Surgical Tech	MCMC
X-Ray Technician 1, 2	MCMC

PARAPROFESSIONAL

Alcoholism Counselor	H
Client Services Agent 1, 2, 3, 4	H
Contracts Specialist	H, E
Cultural Resource Assistant 1, 2	OCA
Dental Assistant 1, 2	H
Dental Hygienist 1, 2	H
Developmental Disabilities Technician 1, 2, 3	H
Development Programmer	H
Financial Specialist 1, 2, 3	H, OCA, E, MCMC, AA
Financial Specialist 4	OCA, MCMC, AA
Information Specialist 1, 2	OCA, CW
Information Specialist 3(A)	CW
Information Specialist 3(B)	OCA, CW
Interpreter	H
Laboratory Assistant 2	H, MCMC
Legal Assistant	E
Librarian Associate 2	OCA
LPN 1, 2	H, MCMC
Monument Ranger 1, 2	OCA
Museum Exhibit Specialist 1, 2	OCA
Nurse Tech 1, 2	H, MCMC
Procurement Specialist 1, 2	H, OCA, MCMC
Programmer Analyst 1, 2	H, OCA, E
Recreation Leader 1, 2	H, MCMC
Statistical Analyst 1	H
Statistical Analyst 2	H, E
Therapy Aide 1, 2	H

PROFESSIONAL

Administrator 4	H
Architect	H
Architectural Historian	OCA
Budget Analyst 1, 2, 3	H
Client Services Agent Coordinator	H
Cultural Resource Specialist 1	OCA
Disease Prevention Specialist	H
Electrical Engineering Specialist	H
Engineering Technician 3	OCA
Environmentalist	E
Environmental Associate	E
Environmental Trainee	E
Environmental Scientist	E
Environmental Specialist	E
Environmental Engineering Specialist 1	E
Epidemiologist	H
Food Program Specialist 1, 2	H
Health Facility Surveyor 1, 2	H
Historical Architect	OCA
Investigator	E
Laboratory Scientist 1, 2, 3	H
Librarian Senior	OCA, E
Management Analyst 1, 2, 3, 4	H, E
Manager 2	H, E
Manager 4	H
Manager 5	OCA
Medical Care Administrator	H
Museum Exhibit Specialist 3	OCA
Museum Registrar	OCA
Museum Specialist 1, 2, 3	OCA
Nurse 1, 2, 3	H, MCMC
Nurse 4, 5	H
Occupational Therapist 1, 2	H
Planner 1	H, AA, CW
Planner 2	H, OCA, E, AA, CW
Planner 3	H, OCA, E, AA, CW
Planner 4	OCA, AA, CW
Psychologist 1, 2	H
Public Health Educator 2	H
Public Health Nutritionist 1, 2, 3, 4	H

Quality Control Scientist	H
Records Manager 1	H
Records Manager 2	H, E
Respiratory Therapist 2	MCMC
Social Worker	H
Social Worker Associate	H
Social Worker Clinical	H
Social Worker Consultant	H
Social Worker Senior	H
Speech Language Pathologist/Audiologist 1, 2	H
Staff Development Coordinator 1	H
Staff Development Specialist 1, 2, 3	H, CW
State Archaeologist	OCA
Systems Analyst	H, E
Systems Analyst Manager	OCA
Technical Writer and Editor	OCA
Vocational Rehabilitation Counselor 2, 3	H
Water Resource Specialist 1, 2, 3	E
Water Resource Engineering Specialist 1	E