

## 2-PELRB-2024

STATE OF NEW MEXICO  
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

IAFF, LOCAL 4625,

Petitioner,

and

PELRB No. 328-23

CITY OF LAS VEGAS,

Employer.

### ORDER

**THIS MATTER** comes before the Public Employee Labor Relations Board at its regularly scheduled meeting on January 9, 2024 upon a Petition from the union filed on August 24, 2023 seeking to accrete the positions of Fire fighter, Engineer, and Lieutenant in the existing bargaining unit. No unit composition or Questions Concerning Representation are at issue. A Card Check was on December 5, 2023 indicating majority support from the accreted employees, and an Amended Certification was issued the same day. Upon review of the submissions and no one appearing in opposition to the Amended Certification, the Board by a vote of 3-0 hereby affirms and ratifies the Card Check Results and Amended Certification of Representation issued by the Executive Director on December 5, 2023.

### PUBLIC EMPLOYEE LABOR RELATIONS BOARD

DocuSigned by:

*Peggy Nelson*

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PEGGY J. NELSON, BOARD CHAIR

DATE: 1/20/2024

State of New Mexico

Public Employee Labor Relations Board



### **Amended Certification of Representation**

The undersigned hereby certifies that **IAFF, Local 4625** (Union) has demonstrated a sufficient basis pursuant to NMAC 11.21.2.38 to compel amendment of the certification of the bargaining unit comprising the positions of Firefighter and Engineer issued by the former Las Vegas Labor Management Board sometime prior to August of 2020 (See City of Las Vegas Ordinance No. 20-06, repealing the City of Las Vegas Labor Management Relations Ordinance), to accrete the position of Lieutenant.

The undersigned makes this certification based on the following:

1. By a Petition filed August 24, 2023 the Union requested certification as the exclusive representative of the above-described unit pursuant to NMAC 11.21.2.38, because the number of positions being accreted exceeds 10% of the total unit.
2. On August 25, 2023 the Board's Executive Director determined that the Petition was facially valid and sent notice to the Union and the City of Las Vegas requesting a statement of their positions as to whether the accretion should be approved.
3. On September 11, 2023, the City objected to the petition on several grounds. The one material to this proceeding was that the Lieutenants are statutorily excluded as supervisory, managerial, and/or confidential employees.
4. A hearing on composition of the unit was scheduled for November 3, 2023; however, on October 27, 2023, the City withdrew its objection to accreting Lieutenants.
5. Any questions concerning representation are resolved in favor of the Petition, the Lieutenants do not constitute a separate appropriate bargaining unit and by card check conducted on November 14, 2023, the Petitioner has shown sufficient support pursuant to NMSA § 10-7E-14(C) so that certification of the bargaining unit shall be, and hereby is, amended to reflect accretion of the Lieutenant position. The bargaining unit is now recognized to be:

**Non-probationary Fire Fighters, Engineers and Lieutenants employed by the City of Las Vegas Fire Department.**

ISSUED in Albuquerque, New Mexico on this 5<sup>th</sup> day of December, 2023 by:

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

  
Thomas J. Griego, Executive Director



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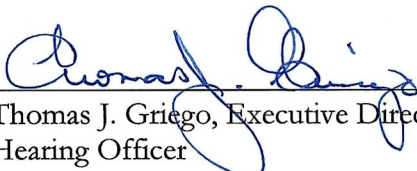
**RESULTS OF CARD CHECK**

On December 5, 2023, pursuant to NMAC 11.21.2.38 and NMSA 1978 § 10-7E-14(C), after resolving all unit composition issues and facial validity of interest cards submitted by the union, and after the expiration of the intervention period, there being no intervention filed, I compared the union's showing of interest with the employee list provided by the employer. The following is the result of that comparison:

1.	Total Number of Employees to be Accreted	<u>3</u>
2.	50% of Employees in Bargaining Unit Equals:	<u>2</u>
3.	Total Interest Cards Indicating Support	<u>3</u>
4.	Number of Challenged Cards	<u>0</u>
	Challenged Cards Rejected By Director	<u>0</u>
	Challenged Cards Accepted By Director	<u>0</u>
	Percent of Employees to be accreted indicating support	<u>0</u>

**WHEREFORE**, the showing of interest demonstrates majority support the employees in the group sought to be accreted and represented by IAFF, Local 4625 as part of the existing unit so that certification of its recognition as the exclusive representative of the unit in question shall be amended to recognize their accretion.

Issued, Tuesday, December 05, 2023.

  
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Thomas J. Griego, Executive Director  
Hearing Officer