

7-PELRB-2024

STATE OF NEW MEXICO PUBLIC EMPLOYEES LABOR RELATIONS BOARD

**UNITED HEALTH PROFESSIONALS
OF NEW MEXICO, AFT, AFL-CIO,**

Petitioner,

v.

PELRB No. 107-23

**UNM SANDOVAL REGIONAL
MEDICAL CENTER, INC.,**

Respondent.

ORDER

THIS MATTER comes before the Public Employee Labor Relations Board at its regularly scheduled meeting on January 9, 2024 upon a request by Respondent UNM Sandoval Regional Medical Center, Inc. (SRMC), for interlocutory review of the Executive Director's Letter Decision dated November 28, 2023 denying its Motion to Quash the Union's Subpoena Duces Tecum. Having reviewed the file, hearing argument from the parties, and being otherwise sufficiently advised, the Board voted 3-0 to deny the request for interlocutory appeal. After deliberating the matter in executive session, the Board voted 2-1 to affirm the denial of the Motion to Quash rendering the previous vote to deny the interlocutory appeal moot.

WHEREFORE the Hearing Officer's denial of Respondent's Motion to Quash the Union's Subpoena Duces Tecum is hereby affirmed. Staff are directed to proceed with the hearing.

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

DocuSigned by:

Peggy Nelson

PEGGY J. NELSON, BOARD CHAIR

DATE: 2/8/2024



STATE OF NEW MEXICO
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

MICHELLE LUJAN GRISHAM
Governor

Peggy J. Nelson, Chair
Mark Myers, Vice-Chair
Nan Nash, Member

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THOMAS J. GRIEGO
Executive Director

November 28, 2023

Youtz & Valdez, P.C.
900 Gold Avenue S.W.
Albuquerque, New Mexico 87102
Attn: Shane Youtz

Rodey, Dickason, Sloan, Akin & Robb, P.A.
Post Office Box 1888
Albuquerque, New Mexico 87103
Attn: Linda M. Vanzi

Re: ***UHPNM - AFT v. UNM Sandoval Regional Medical Center; PELRB No. 107-23***

Dear Ms. Vanzi and Mr. Youtz:

Inasmuch as the Public Employee Labor Relations Board issued its Order 59-PELRB-2023, by which the Board reaffirmed its Order 26-PELRB-2022 while further construing the term "regular" as it pertains to a public employee under the Public Employee Bargaining Act and reaffirmed 8-PELRB-2023 and 9-PELRB-2023 whereby all issues concerning representation were resolved, it is appropriate to now decide the pending Motion to Quash the Subpoena Duces Tecum issued on August 15, 2023.

For the reasons stated in AFT's Response to the Motion the Motion to Quash is **DENIED**. UNM SRMC is directed to comply with the subpoena by December 7, 2023, taking care to abide by the Protective Order D-202-CV-2023-04175 issued on June 28, 2023. The union is further directed to respond to SRMC's Motion in Limine filed on August 22, 2023 no later than December 7, 2023 and to confer with the Employer concerning a date and time for holding a Hearing on the Merits of this PPC. I offer the week of December 11-15 or December 27, 28 or 29 for that purpose.

Sincerely,

PUBLIC EMPLOYEE LABOR RELATIONS BOARD


Thomas J. Griego
Executive Director