

20-PELRB-2024

STATE OF NEW MEXICO PUBLIC EMPLOYEE LABOR RELATIONS BOARD

**VALENCIA COUNTY PROFESSIONAL
FIREFIGHTERS ASSOCIATION,
IAFF LOCAL 5399,**

Petitioner,

and

PELRB No. 304-24

VALENCIA COUNTY,

Employer.

ORDER

THIS MATTER comes before the Public Employee Labor Relations Board at its regularly scheduled meeting on April 2, 2024, upon the Petition by the Union to accrete the position of Battalion Commander into an existing bargaining unit. No unit composition or Questions Concerning Representation are at issue, a Card Check demonstrated majority support, and an Amended Certification was issued on March 20, 2024. 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 the Amended Certification of Representation issued by the Executive Director on March 20, 2024, including the findings appearing thereon.

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

DocuSigned by:

Peggy Nelson

PEGGY J. NELSON, BOARD CHAIR

4/3/2024

DATE

State of New Mexico
Public Employee Labor Relations Board



Amended Certification of Representation

The undersigned hereby certifies that Valencia County Professional Firefighters Association, IAFF Local 5399 (Union) has demonstrated a sufficient basis pursuant to NMAC 11.21.2.38 to compel amendment of the certification of the bargaining unit issued on December 27, 2022 to accrete the position of Battalion Commander into an existing bargaining unit so that the resulting bargaining unit comprises the following employees of Valencia County:

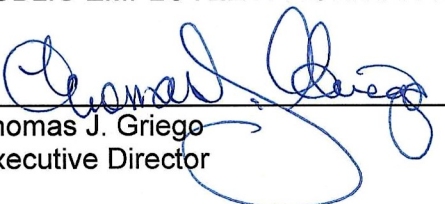
Firefighters, Lieutenants, Wildfire Captain and Battalion Commanders employed by Valencia County in its Fire Department.

The undersigned makes this certification based on the following:

1. By a Petition filed January 30, 2024, the Union requested accretion of the newly created position of Battalion Commander into an existing bargaining unit.
2. On February 2, 2024, the Board's Executive Director determined that the Petition was facially valid and sent notice Valencia County requesting a statement of their position as to whether the amendment should be made and that Notice of Filing be posted. At a Status Conference held on March 6, 2024, Valencia County stated that it had no objection to accreting the position.
3. After review of the new position description and hearing testimony, I conclude that the Petition does not raise a question concerning representation, excludes probationary, confidential, supervisory and management employees, and presents sufficient facts to show that the amendment should be made. Accordingly, the amendment is hereby amended to reflect accretion of Battalion Commanders into the existing bargaining unit so that the resulting bargaining unit is described as above.

ISSUED in Albuquerque, New Mexico on this 20th day of March, 2024 by:

PUBLIC EMPLOYEE LABOR RELATIONS BOARD


Thomas J. Griego
Executive Director



STATE OF NEW MEXICO
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

VALENCIA COUNTY PROFESSIONAL
FIREFIGHTERS ASS'N., IAFF LOCAL 5399,
Petitioner,

and

PELRB No. 304-24

VALENCIA COUNTY,
Respondent.


RESULTS OF CARD CHECK

On March 20, 2024, pursuant to NMAC 11.21.2.33, after resolving all unit composition issues and challenges to the 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 in Bargaining Unit | <u>21</u> |
| 2. | 10% of Employees in Bargaining Unit Equals: | <u>2</u> |
| 3. | Total Interest Cards Indicating Support | <u>2</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> |
| 5. | Percent of Employees indicating support | <u>66.6</u> |

WHEREFORE, the showing of interest demonstrates majority support for Valencia County Professional Firefighters Association, IAFF Local 5399 so that certification of its recognition as the exclusive representative of the unit in question shall issue.

PUBLIC EMPLOYEE LABOR RELATIONS BOARD


Thomas J. Griego
Executive Director

Date: March 20, 2024