

# 1-PELRB-2025

STATE OF NEW MEXICO  
PUBLIC EMPLOYEES LABOR RELATIONS BOARD

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

Petitioner,

and

PELRB No. 304-22

REGENTS OF THE UNIVERSITY  
OF NEW MEXICO for its public operations  
known as THE UNIVERSITY OF  
NEW MEXICO HOSPITAL, specifically including  
SANDOVAL REGIONAL MEDICAL CENTER,

Respondent.

## ORDER

**THIS MATTER** comes before the Public Employee Labor Relations Board at its regularly scheduled meeting on January 7, 2025, for review of the results of the card check conducted on November 19, 2024, and ratification of the Certification of Representation resulting from that card check. On November 1, 2024 the 2<sup>nd</sup> Judicial District Court reversed PELRB Order 59-PELRB-2023 and found that PRNs are not regular employees covered under the PEBA. Although not specifically directed by the Court, the Board finds it has a duty under the PEBA to resolve Representation Petitions. With the entry of that order, the instant petition remained unresolved.

As a preliminary matter, the Board notes that the Card Check Results Form contains a typographical error that names the Petitioner incorrectly. Staff are instructed to correct the error and re-issue the Card Check Results Form. The Board, having reviewed the file and being otherwise sufficiently informed, voted 3-0 to ratify the finding by the Executive Director that the bargaining unit that does not include PRNs is appropriate, to affirm that the card check established majority support for UHPNM (Petitioner) to be certified as the

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exclusive bargaining representative for the unit so modified, and to ratify the Certification of Representation issued by the Executive Director on November 19, 2024, including the findings therein.

**WHEREFORE**, the bargaining unit not including PRNs is found to be an appropriate bargaining unit, the results of the card check are affirmed, the Certification of Representation is ratified and staff are directed to close the file.

## **PUBLIC EMPLOYEE LABOR RELATIONS BOARD**

Signed by:



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**MARK MYERS, BOARD CHAIR**

1/17/2025

\_\_\_\_\_  
**DATE**

## State of New Mexico

### Public Employee Labor Relations Board

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### Certification of Representation

The undersigned hereby certifies that United Health Professionals of New Mexico, AFT, AFL-CIO (Union) has demonstrated a sufficient basis such that it should be recognized as the exclusive bargaining representative for those employees in the following bargaining unit comprised of employees of the University of New Mexico Sandoval Regional Medical Center (SRMC):

Case Managers, Clinic Techs, CT Techs, Dietitians, EEG Techs, Emergency Medical Techs, Interventional Radiology Techs, Licensed Clinical Social Workers, Medical Assistants, Mammography Techs, MRI Techs, Nuclear Medical Techs, Occupational Therapists, Paramedics, Patient Care Techs, Pharmacists, PSG Techs, Physical Therapists, Physical Therapy Assistants, Radiological Techs, Registered Nurses, Rehabilitation Techs, Respiratory Therapists, Respiratory Therapy Assistants, Sleep Lab Techs, Social Workers, Special Procedures Techs, Unit Based Educators, Urology Techs, Ortho/Casting Techs, Anesthesia Techs, Cardiology Techs, Speech Language Pathologists, Sterile Processing Techs, Surgical Techs, Techs, Ultrasound Techs, X-Ray Techs, including House Supervisors, Charge Nurses, and Lead positions employed in any of the above positions.

The undersigned makes this certification based on the following:

1. By a Petition filed May 18, 2022 the Union informed SRMC that it was prepared to demonstrate sufficient support among employees in the unit for its recognition as the exclusive collective bargaining representative for those employees.
2. On May 19, 2022 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 with a card check or an election.
3. After a hearing on unit composition, the Board's Hearing Officer issued his Report and Recommended Decision on August 23, 2022 finding the above described unit to be appropriate. That decision was modified by the Board at a meeting held November 19, 2023 to include PRN Nurses excluded by the Hearing Officer.
4. Upon further appeal, on November 1, 2024, the District Court issued its decision in case No. D-202-CV-2023-09660 that PRNs are not covered by the PEBA because they are not regular employees as defined by the Act.
5. In light of the Court's decision and the findings and conclusions contained in my August 23, 2022, Hearing Officer's Report and Recommended Decision, on November 19, 2025 the Board's Executive Director found that the above-

described bargaining unit, after the PRNs have been removed, is an appropriate bargaining unit.

6. Board staff conducted a card-check on November 19, 2024 with the result that, absent the PRNs, the total number of employees in the bargaining unit is 262. The union submitted 141 valid interest cards indicating support, constituting majority support of 53.8%.
7. Pursuant to NMSA 1978 Section 10-7E-14(C), the Union has demonstrated majority support so that this Certification should issue and the 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 19<sup>th</sup> day of November, 2024 by:

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

  
\_\_\_\_\_  
Thomas J. Griego  
Executive Director



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

**In re:**

**UNITED HEALTH PROFESSIONALS  
OF NEW MEXICO, AFT**

**Petitioner,**

**and**

**PELRB No. 304-22**

**UNIVERSITY OF NEW MEXICO  
SANDOVAL REGIONAL MEDICAL  
CENTER,**

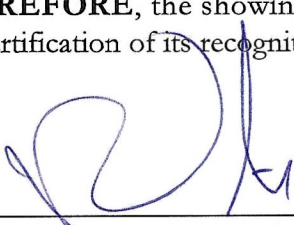
**Respondent**

**AMENDED RESULTS OF CARD CHECK**

On November 19, 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>262</u>
2.	50% of Employees in Bargaining Unit Equals:	<u>131</u>
3.	Total Interest Cards Indicating Support <sup>1</sup>	<u>141</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 in Bargaining Unit indicating support	<u>53.8%</u>

**WHEREFORE**, the showing of interest demonstrates majority support for UHPNM-AFT so that certification of its recognition as the exclusive representative of the unit in question shall issue.

  
\_\_\_\_\_  
Pilar Vaile, Executive Director

Date: 1/22/25

<sup>1</sup> There were eight (8) interest cards that had been withdrawn before the card count by the employees who had submitted them; those cards were removed from the showing of interest before the count was conducted and this number does not include those cards.