



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

Mark Myers, Board Chair

Regular Meeting

Tuesday September 2, 2025, 10:00 a.m.

PELRB Offices

2929 Coors Blvd. NW; Albuquerque, NM 87120

1. **Call to Order.** The administrative assistant announced that by operation of NMAC 11.21.1.33, Nan Nash would be the Chair, Peggy Nelson would be Vice-Chair and Mark Myers would serve a Member of the PELRB. Chair Nash called the meeting to Order at 10:03 a.m. Vice-Chair Nelson and Member Myers were also present, constituting a quorum.
2. **Approval of Agenda.** Vice-Chair Nelson moved to approve the agenda. The motion was seconded by Member Myers and carried unanimously.
3. **Approval of April 1, 2025, Meeting Minutes.** Vice-Chair Nelson moved to approve the August 5, 2025 minutes. The motion was seconded by Member Myers and carried unanimously.
4. **Public Comments.** There were no public comments.
5. **Voluntary Dismissals.** The administrative assistant informed the board that in each of the cases listed below, the complaint had been withdrawn and a Voluntary Dismissal issued after a Status and Scheduling Conference but prior to a hearing on the merits. Staff would now close the files.
 - a. *AFSCME Local 3422 v. NMDC*; PELRB 116-25
 - b. *CIR/SEIU v. UNM*; PELRB 120-25
6. **Amended Certifications.** The administrative assistant informed the Board that in each of the cases listed below, after resolving any unit composition or other outstanding issues, a card check had been conducted which indicated majority support and a Certification of Representation or Amended Certification of Representation had been issued. Vice-Chair Nelson moved to approve the Certifications and adopt the findings therein. The motion was seconded by Member Myers and carried unanimously.
 - a. *WNMUF-NEA & WNMU*; PELRB 311-25
 - b. *US-UNM & UNM*; PELRB 319-25
 - c. *FEA-NEANM & Farmington Schools*; PELRB 320-25
 - d. *SSEA-AFT 3878 & Socorro Schools*; PELRB 324-25

7. **Request for Board Review** *CWA v. NM WCA*; PELRB 115-25. Chair Nash invited the parties' representatives to make their appearances. James Montalbano appeared for the CWA and Jessica Cothorn appeared for the Employer remotely via audio on Zoom (video capabilities in the PELRB hearing room were unavailable). Each party had requested Board review separately and Mr. Montalbano was invited to make his argument first; Ms. Cothorn then replied to the Union's argument and presented the Department's argument. Mr. Montalbano then presented his reply.

At 11:03 a.m., Chair Nash moved to go into closed executive session for adjudicative deliberations pursuant to NMSA 10-15-1(H)(3) to discuss Item 7 on the agenda. The motion was seconded by Member Myers and carried unanimously.

At 11:36 a.m. Chair Nash moved to return to open session and stated pursuant to sections 10-15-1(I)(l) and 10-15-1(J), the only matter discussed in the closed executive session was Item 7 on the agenda. The motion was seconded by Member Myers and carried unanimously.

Vice-Chair Nelson moved to affirm that portion of the Recommended Decision that found the Department had violated Section 19(F) of the PEBA by failing to offer an accommodation in the first instance and to overrule the portion of the decision that found the report that was the nexus of the dispute was confidential and the Union was not entitled to receive a copy. The motion was seconded by Member Myers and carried unanimously. Staff were instructed to draft an Order containing the Board's decision for the Chair's signature.

8. **Staff Reports.** The administrative assistant informed the Board that the budget proposal for the FY27 fiscal year would be submitted soon; he had attended and completed the Administrative Law Fair Hearings course at the National Judicial College; and the annual financial audit had continued without incident. Board counsel, Douglas Wilber, gave an update on pending litigation, stating that there had been no significant developments.
9. **Adjournment.** After a brief discussion, the next meeting was set for October 7, 2025 at 10:00 a.m.. Vice-Chair Nash moved to adjourn the meeting; the motion was seconded by Member Nelson and carried unanimously. The time was 11:44 a.m.