



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

Nan Nash, Board Chair

Regular Meeting

Tuesday November 4, 2025, 10:00 a.m.

PELRB Offices

2929 Coors Blvd. NW; Albuquerque, NM 87120

1. **Call to Order.** Chair Nash called the meeting to Order at 10:02 a.m. Vice-Chair Nelson and Member Myers were also present, constituting a quorum.
2. **Approval of Agenda.** Member Myers moved to approve the agenda. The motion was seconded by Vice-Chair Nelson and carried unanimously.
3. **Approval of October 7, Meeting Minutes.** Member Myers moved to approve the August 5, 2025 minutes. The motion was seconded by Vice-Chair Nelson and carried 2-0 with the Chair abstaining.
4. **Public Comments.** There were no public comments.
5. **Voluntary Dismissals.** The Executive Director informed the board that in each of the cases listed below, the complaint had been withdrawn and a Voluntary Dismissal issued after a Status and Scheduling Conference but prior to a hearing on the merits.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. *UHPNM v. UNM-SRMC*; PELRB 130-24
 - b. *AFSCME v. Bernalillo County*; PELRB 117-25
 - c. *MCFUSE v. Gallup-McKinley Schools*; PELRB 125-25
6. **Dismissals.**
 - a. The Executive Director informed the Board that the petition in *AFSCME 3022 & ABCWUA*; PELRB 318-25 was not supported by the required showing of interest and the Petition had been dismissed after no further showing of interest was provided. Member Myers moved to affirm the dismissal. The motion was seconded by Vice-Chair Nelson and carried unanimously.
 - b. The Executive Director informed the Board that the petition in *AFSCME & Sandoval County*; PELRB 323-25 was not supported by the required showing of interest and the Petition had been dismissed after no further showing of interest was provided. Member Myers moved to affirm the dismissal. The motion was seconded by Vice-Chair Nelson and carried unanimously.

7. **Amended Certifications.** The Executive Director 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. *UWUA Local 51 & Roswell*; PELRB 313-25
 - b. *CWA 7076 & UNM Hospital*; PELRB 325-25
8. **Request for Board Review** *AFSCME v. Doña Ana County*; PELRB 112-25 Chair Nash invited the parties' representatives to make their appearances. Joel Villarreal appeared for AFSCME and Cari Niell appeared for the Employer remotely via Zoom. Mr. Villarreal was invited to make his argument first; Ms. Niell was then given an opportunity to respond.

At 10:43 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 8 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 stated that the Board agrees that collective bargaining agreements need to be followed and contractual obligations met; that the Board was not presented with evidence of other violations by the county; but the Board makes a distinction between violations of contractual due process occurring before the disciplinary hearing and violations that occur after the hearing; in this case the violations occurred after the employee's disciplinary hearing and had no adverse effects on the employee's right to appeal the discipline; so while the Board acknowledges that a violation occurred, the appropriate remedy is not expungement of the discipline. Vice-Chair Nelson then moved to affirm the Recommended Decision with the clarification that the Notice of Violation must be posted for at least 180 days, but does not need to be posted in vacant buildings where no employees would see it. The motion was seconded by Member Myers and carried unanimously.

9. **Staff Reports.** The Executive Director informed the Board that (a) the CFO's MOU had been renewed, for uninterrupted CFO services; (b) the PELRB web update/reorganization project was still ongoing; (c) the Director will be moderating a Public Employment Labor Law panel at the American Bar Association (ABA) Labor and Employment Law (LEL) Section's Annual Conference in Denver (Nov. 13-15), and the panel will feature Dina Holcomb, Esq. of Albuquerque, as well as Counsel for the Illinois FOP Counsel, and a labor law professor from

the University of Toledo; (d) the PELRB's filings for 2025 are slightly elevated from that of last year, with 34 PPCs and 32 Representation Petitions filed as of Nov. 2; (e) the December hearing will not involve any requests for review, as several recently issued Reports from the Director and Alternate Hearing Examiner Matthew Huchmala had not been appealed; and (f) we have received a "clean" Audit Report for FY25. Board counsel, Douglas Wilber, gave an update on pending litigation, stating that there had been no significant developments.

10. **Adjournment.** After a brief discussion, the next meeting was set for December 2, 2025 at 9:00 a.m. via videoconference. Chair Nash moved to adjourn the meeting; the motion was seconded by Vice-Chair Nelson and carried unanimously. The time was 11:01 a.m.