



MINUTES
STATE OF NEW MEXICO
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Nan Nash, Board Chair

Regular Meeting

Tuesday April 7, 2026, 10:00 a.m.

PELRB Offices

2929 Coors Blvd. NW, Ste 303

Albuquerque, NM 87120

1. **Call to Order.** Chair Nash called the meeting to Order at 10:00 a.m. Vice-Chair Nelson and Member Myers were also in attendance, 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 upon a roll call vote.
3. **Approval of March 18, 2026, Meeting Minutes.** Vice-Chair Nelson moved to approve the February 17, 2026, minutes. The motion was seconded by Member Myers and carried 2-0 upon a roll call vote with Member Myers abstaining.
4. **Public Comments.** Stephen Curtice, counsel for the Complainant in PELRB 130-25, referring to Item 6(b), acknowledged that opposing counsel could not be present at the meeting, reminded the Board that hearing oral argument on a request for Board review was at the discretion of the Board and stated that his client's preference was to have the matter resolved as quickly as possible. The Board stated they would consider the matter during closed executive session.
5. **Voluntary Dismissals.** The following was presented to the Board for informational purposes and no action was taken by the Board:
 - a. *LAFF 244 v. Bernalillo County*; PELRB 121-25. The Administrative Assistant informed the Board that a Voluntary Dismissal had been issued after the Complaint had been withdrawn.
 - b. *Sunland Park POA v. Sunland Park*; PELRB 129-25. The Administrative Assistant informed the Board that rather than a withdrawal, the Parties had filed a stipulated motion to dismiss with prejudice, so and Order dismissing the complaint with prejudice had been issued instead of a Voluntary Dismissal.
 - c. *Teamsters 492 v. Estancia Valley SWA*; PELRB 135-25. The Administrative Assistant informed the Board that the Parties had informed staff that the dispute had settled, but a withdrawal of the complaint had not yet been filed. James Montalbano, counsel for the

complainant confirmed the Administrative Assistant's summary judgment and stated that the complaint would be withdrawn once the settlement had been finalized.

- d. *CWA v. Doña Ana County*; PELRB 137-29. The Administrative Assistant informed the Board that a Voluntary Dismissal had been issued after the Complaint had been withdrawn.
- e. *CWA v. Doña Ana County*; PELRB 139-29. The Administrative Assistant informed the Board that a Voluntary Dismissal had been issued after the Complaint had been withdrawn.

6. Requests for review.

- a. *CPFFA & City of Clovis*; PELRB 321-25. The Board heard from Dina Holcomb, counsel for the Employer first, followed by Brian Petruska, counsel for the union. After hearing from both representatives, Chair Nash announced that they would deliberate the matter in a closed session.
- b. *CWA v. NM DCA & SPO*; PELRB 130-25. Chair Nash stated the Board would consider whether to decide the matter without oral argument during closed session.
- c. *RPFPA & Ruidoso*; PELRB 105- & 303-26. Mr. Petruska, counsel for the union, informed the Board that the response to the request for review was not due until the following day, and while he was prepared to argue it, he requested the Board defer ruling on the request for review until the next meeting. Ms. Holcomb, counsel for the employer, pointed out that the issues involved in Items 6(c) and 7(a) overlap and stated she did not object to postponing both Items until the next meeting. Mr. Petruska stated it would be beneficial to decide Item 7(a) today so the parties would know who would be hearing the case. The Chair announced they would proceed with hearing the motion to disqualify in Item 7(a).

7. Motion to Disqualify Hearing Examiner

- a. *RPFPA & Ruidoso*; PELRB 105- & 303-26. The Board heard from Dina Holcomb, counsel for the Employer first, followed by Brian Petruska, counsel for the union. After hearing from both representatives, Chair Nash announced that they would deliberate the matter in a closed session.

At 11:19 a.m., Chair Nash moved to go into closed executive session for adjudicative deliberations pursuant to NMSA 10-15-1(H)(3) to discuss were Items 6(a), (b) and (c) and Item 7(a) on the agenda. The motion was seconded by Member Myers and carried unanimously.

At 12:36 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 were Items 6(a), (b) and (c) and Item 7(a) on the agenda, with the discussion of 6(b) only of procedural matters. The motion was seconded by Vice-Chair Nelson and carried unanimously.

Member Myers moved to table Item 6(b) until the next regular meeting. The motion was seconded by Vice-Chair Nelson and carried unanimously.

Vice-Chair Nelson moved deny the motion to disqualify the hearing examiner in Item 7(a) and schedule a special meeting on April 13, 2026 at 1:00 p.m. to hear argument on Item 6(c). The motion was seconded by Member Myers and carried unanimously.

Chair Nash stated in regard to Item 6(a), that the Board was compelled by the use of the word “shall” in Section 24 of the PEBA to recognize IAFF Local 3602 as the incumbent exclusive representative of the incumbent bargaining unit. She moved to reverse the decision of the Hearing Examiner and order the employer to recognize IAFF Local 3602 as the incumbent exclusive representative and order the parties to bargain over who is included in the bargaining unit. The motion was seconded by Vice-Chair Nelson and carried unanimously. Vice Chair Nelson added, as dicta, that the record in the case could be used as a basis for deciding any dispute over who is legitimately in the bargaining unit.

8. Staff Reports.

- a. The Administrative Assistant informed the Board that the budget request for FY27 had been approved and the budget signed into law by the Governor; the new operating budget was due to be submitted by May 1, 2026; a contract for the FY26 audit was in the works with the same firm that was used for FY25; and the agency was on track to remain within budget for the rest of FY26.
- b. Counsel for the Board informed them that there had been no significant developments in the cases on appeal.

9. **Adjournment.** After a brief discussion, the next meeting was scheduled for Tuesday May 5, 2026, at 9:00 a.m. via videoconference. Vice-Chair Nelson moved to adjourn. The motion was seconded by Chair Nash and carried unanimously. The time was 12:47 p.m.