

LABOR-MANAGEMENT RELATIONS BOARD
Friday, May 8, 2020
VIA ONLINE ZOOM MEETING

MEMBERS PRESENT:

Chairman Ted Baca
Juan Montoya
Bruce Perlman

OTHERS PRESENT:

<i>Leigh Brunner</i>	<i>Patricia French</i>
<i>Juan Martinez Luna</i>	<i>James Montalbano</i>
<i>Devon Moody</i>	<i>Rocky Gutierrez</i>
<i>Justin Pennington</i>	<i>Fred Mowrer</i>
<i>Melissa Kountz</i>	<i>Dina Holcomb</i>
	<i>Jessica Enriquez</i>

Minutes

I. CALL TO ORDER.

Chairman Ted Baca called the meeting to order. Board members Juan Montoya and Bruce Perlman were also present.

II. REVIEW AND APPROVAL OF THE AGENDA FOR FRIDAY, MAY 8 2020.

Mr. Montoya moved to approve the agenda. Mr. Perlman seconded. Roll call vote taken and passed 3-0.

III. REVIEW AND APPROVAL OF LABOR BOARD MINUTES FOR MARCH 6, 2020.

Mr. Montoya moved to approve the minutes for March 6, 2020. Mr. Perlman seconded. Roll call vote taken and passed 3-0.

There was brief discussion by the board members regarding signing of minutes and orders when meetings are held via-zoom. The Board members voted to delegate authority for signing of documents to chairman Baca. Roll call vote taken and passed 3-0.

IV. PUBLIC COMMENTS *Limited to three (3) minutes total time per person.

Rocky Gutierrez, AFSCME Representative appeared on behalf of the Union and reminded the Board that their decision is pending in LB 13-06 and LB 14-28. Chairman Baca stated that they are aware and a decision will be made in the near future.

V. BOARD WILL DISCUSS THE MEMORANDUM OF UNDERSTANDING BETWEEN AFSCME LOCAL 624, 1888, 2962 AND 3022 AND THE CITY OF ALBUQUERQUE REGARDING THE COVID-19 OUTBREAK.

Rocky Gutierrez appeared on behalf of AFSCME and stated that the MOU that was entered in to by AFSCME and the City will expire on May 15, 2020 and the parties may discuss an extension. He stated that the parties agreed to work together and to not enforce timelines.

Melissa Kountz, Assistant City Attorney spoke on behalf of the City and stated that the intent is to suspend deadlines with the board and agreed that AFSCME and the City may discuss extension after the May 15, 2020 expiration of the MOU.

VI. RECEIPT OR PRESENTMENT OF STIPULATED DISMISSALS AND SETTLEMENTS:

- **LB 13-24, ORDER ON PETITIONER'S STIPULATED MOTION FOR DISMISSAL.** Chairman Baca approved the Order.
- **LB 16-27, STIPULATED ORDER OF DISMISSAL.** Chairman Baca approved the Order.
- **LB 19-29, STIPULATED ORDER OF DISMISSAL.** Chairman Baca approved the Order.

VII. PRESENTMENT OF ORDERS:

- **LB 16-24, SCHEDULING ORDER.** Order submitted prior to enforcement of MOU and this Scheduling Order is withdrawn.
- **LB 18-27, ORDER DENYING CITY'S MOTION FOR SUMMARY JUDGMENT.** Chairman Baca approved the Order.
- **LB 19-31, AMENDED SCHEDULING ORDER.** Ian Stoker, Assistant City Attorney appeared on behalf of the City and Fred Mowrer appeared on behalf of the Union. The parties stated that this Scheduling Order is moot also due to the MOU in place and this matter may be resolved but if not they will submit a new Scheduling Order.
- **LB 19-34, SECOND AMENDED SCHEDULING ORDER.** Mr. Stoker stated that this Order is also moot due to the MOU and the parties will work to submit a new Scheduling Order. Juan Montalbano appeared on behalf of the Union.
- **LB 19-38, PRE-HEARING SCHEDULING ORDER.** Justin Pennington, Assistant City Attorney appeared on behalf of the City and stated that the Scheduling Order is withdrawn due to the MOU and the parties will submit a new Scheduling Order.
- **LB 19-40, ORDER GRANTING JOINT MOTION TO VACATE AND CONTINUE MERITS HEARING.** Approved and signed by Chairman Baca.
- **LB 20-02, AMENDED SCHEDULING ORDER.** Juan Martinez, Assistant City Attorney appeared on behalf of the City and stated that he and Mr. Montalbano are discussing settlement and the merits hearing is scheduled for August 10, 2020. The parties agreed to withdraw the Amended Scheduling Order.
- **LB 20-04, ORDER ON MOTION TO AMEND COMPLAINT.** Chairman Baca approved the Order.
- **LB 20-09, SCHEDULING ORDER.** Justin Pennington asked the board to place this matter on the next meeting agenda to schedule merits hearing.
- **LB 20-11, SCHEDULING ORDER.** Chairman Baca stated that this matter will be discussed during item VIII.
- **LB 20-12, JOINT STATEMENT OF ISSUES, STIPULATED FACTS AND PROPOSED SCHEDULING ORDER.** Mr. Pennington appeared for the City and stated that the parties will submit a new Scheduling Order.

- **LB 20-13, SCHEDULING ORDER.**

Devon Moody, Assistant City Attorney appeared for the City and Fred Mowrer appeared for the Union. The parties submitted a Scheduling Order but no merits hearing has been scheduled. Chairman Baca rescheduled this matter for May 19, 2020 for scheduling of merits hearing.

There was discussion regarding the cases scheduled for merits hearing on May 19, 2020. Ms. Kountz stated that LB 15-07 may be resolved, LB 15-11 parties reached a settlement agreement and LB 15-26 parties are working on resolution. Mr. Pennington stated that LB 17-01 can be vacated because the parties are discussing resolution. Devon Moody stated that for LB 17-18 the parties have reached a settlement. Chairman Baca stated that item VIII is vacated and rescheduled for May 19, 2020.

VIII. DISCUSSION AND/OR RESCHEDULING OF MOTIONS AND MERIT HEARINGS FROM APRIL 3, 2020; APRIL 15, 2020; APRIL 20, 2020 AND MAY 4, 2020.

- **LB 13-24- SCHEDULED FOR MERITS HEARING ON MAY 4, 2020.**
- **LB 16-24- SCHEDULED FOR MERITS HEARING ON APRIL, 15, 2020.**
- **LB 17-37- SCHEDULED FOR MOTIONS HEARING ON APRIL 6, 2020.**
- **LB 19-12- SCHEDULED FOR MERITS HEARING ON APRIL 3, 2020.**
- **LB 19-15- SCHEDULED FOR MERITS HEARING ON APRIL 3, 2020.**
- **LB 19-21- SCHEDULED FOR MERITS HEARING ON APRIL 3, 2020.**
- **LB 19-26- SCHEDULED FOR MERITS HEARING ON MAY 4, 2020.**
- **LB 19-34- SCHEDULED FOR MERITS HEARING ON APRIL 15, 2020.**
- **LB 19-37- SCHEDULED FOR MERITS HEARING ON APRIL 15, 2020.**
- **LB 19-38- SCHEDULED FOR MERITS HEARING ON APRIL 20, 2020.**
- **LB 19-40- SCHEDULED FOR MERITS HEARING ON APRIL 15, 2020.**

All matters vacated and rescheduled for May 19, 2020 except for LB 13-24, Mr. Mowrer stated that this matter is settled. See item VII.

IX. ADJOURNMENT.

Mr. Perlman moved to adjourn. Mr. Montoya seconded. Roll call vote taken and passed 3-0.

TED BACA, CHAIR
City Labor Management Relations Board

DATE

cc: Tim Keller, Mayor
Ethan Watson, City Clerk