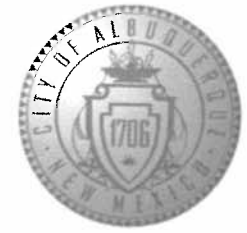


# CITY OF ALBUQUERQUE



## LABOR-MANAGEMENT RELATIONS BOARD

*Monday August 18, 2014*

600 2<sup>nd</sup> Street NW, 7<sup>th</sup> Floor, Albuquerque, NM 87102

### HEARING ROOM 1

MEMBERS PRESENT:

Patrick Halter  
Susan Chappell  
Juan Montoya

OTHERS PRESENT:

Doris Duhigg      Mary Scott  
Samantha Hults      Marcus Garcia  
Melissa Kountz      Debbie Rainaldi  
Jessica Enriquez      James Montalbano

### MINUTES

**I. CALL TO ORDER.**

Chairman Halter called meeting to order at 9:05 a.m., all members were present.

**II. REVIEW AND APPROVAL OF AGENDA FOR MONDAY, AUGUST 18, 2014.**

Chairman Halter made a motion to approve agenda. Juan Montoya seconded. The motion passed 3-0.

**III. REVIEW AND APPROVAL OF LABOR BOARD MINUTES FOR JULY 25, 2014.**

Chairman Halter made a motion to approve the minutes. Mr. Montoya seconded. The motion passed 3-0.

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

No public comments.

**V. LB 10-02, REVIEW OF THE NOTICE OF PRESENTMENT OF ORDER SUBMITTED BY MARCUS GARCIA ON BEHALF OF PETITIONERS.**

Marcus Garcia appeared on behalf of petitioners and stated that the Presentment of Order is on a Motion that was filed and granted. He stated that there should be one Order on the Motion for Entry of Order and another Order for entry that denied the Motion for reconsideration. Therefore, there should be two Orders entered.

Samantha Hults, Assistant City Attorney stated that there is already an Order denying the petitioners Motion to Reconsider which closes and ends this matter and petitioners have already filed a Notice of Appeal in District Court. She stated that the time is already running for deadline on the District Court Appeal.

Chairman Halter made a motion to take no further action on this case. Susan Chappell seconded. Motion passed 3-0.

**VI. LB 11-06, REVIEW OF CITY'S AMENDED ANSWER AND POSITION STATEMENT. (AFSCME LOCAL 2962)**

Debbie Rainaldi appeared on behalf of AFSCME and stated that this case is assigned to Rocky Gutierrez who was out sick and requested a continuance on his behalf.

PO Box 1293

Albuquerque

NM 87103

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Ms. Hults appeared on behalf of the City and stated that the City is prepared to proceed with a hearing.

Chairman Halter stated that this matter will be rescheduled for the next Board meeting on September 5, 2014.

**VII. LB 10-14, REVIEW OF CITY'S MOTION FOR SUMMARY JUDGMENT OF PPC. (AFSCME LOCAL 1888)**

Rescheduled to September 26, 2014.

**VIII. LB 11-11, REVIEW OF CITY'S MOTION FOR SUMMARY JUDGMENT AND PETITIONER'S RESPONSE THERETO. (AFSCME LOCAL 624)**

Melissa Kountz, Assistant City Attorney appeared on behalf of the City and stated that at the last the meeting the Board ordered petitioners to submit a written response by August 5, 2014. The Union has not submitted a response and she asked the Board to consider the City's Motion.

Chairman Halter stated that the Board has not received a written response and matter is rescheduled for September 5, 2014.

**IX. RECEIPT, APPROVAL AND SIGNING OF STIPULATED DISMISSALS AND SETTLEMENTS.**

Chairman Halter presented an Order Granting the City's Unopposed Motion to Vacate LB 11-13 that was submitted by the parties. Matter was scheduled for a merits hearing, see item XII. Mr. Halter made a motion to grant the Order. Ms. Chappell seconded. Motion passed 3-0. The parties will discuss a date to reschedule.

**X. SCHEDULING OF PENDING CASES**

• **LB 11-38 STEP III GRIEVANCE ON BEHALF OF ALBUQUERQUE POLICE DEPARTMENT COURT SERVICES EMPLOYEES, WORKING OUT OF CLASSIFICATION (DEB RAINALDI, AFSCME LOCAL 2962)**

Ms. Hults appeared for the City and asked the Board to schedule a date later in December 2014.

Matter tentatively scheduled for December 1, 2014.

**XI. LB 14-01, REVIEW OF BARGAINING UNIT IN AFSCME LOCAL 3022 AND THE CITY OF ALUQUERQUE. (JAMES MONTALBANO, AFSCME LOCAL 3022)**

James Montalbano appeared on behalf of AFSCME stated that the Union and the City has had their sixth mediation session and still working on their list. He asked the Board to place item on the next meeting agenda for status and merits hearing can be scheduled for October.

Melissa Kountz, Assistant City Attorney appeared on behalf of the City and stated that Ms. Nichols will be leaving the city and she will take over this case.

Item will be placed on next agenda for status and a merits hearing October 13, 2014.

**XII. MERITS HEARING**

• **LB 11-13 PROHIBITED PRACTICE COMPLAINT (LMRO 3-2-9) ON BEHALF OF AFSCME LOCAL 624, EMPLOYEE JASON ARAGON WITHIN DEPARTMENT OF MUNICIPAL DEVELOPMENT, EMPLOYEE ASSISTANCE PROGRAM. (ROCKY GUTIERREZ, AFSCME LOCAL 624)**

Matter will be rescheduled for a future date. See item IX.

**XIII. ADJOURNMENT.**

Chairman Halter made a motion to adjourn. Mr. Montoya seconded. Motion passed and meeting was adjourned at 9:31 a.m.

**APPROVED:**

*Patrick Halter*

**PATRICK HALTER, CHAIR**  
**City Labor Board**

*9.5.14*

**DATE**

cc: Richard J. Berry, Mayor  
Trina Gurule, Acting City Clerk