

CITY OF ALBUQUERQUE



LABOR-MANAGEMENT RELATIONS BOARD

Monday, June 15, 2015

600 2nd Street NW, 7th Floor, Albuquerque, NM 87102

HEARING ROOM 1

MEMBERS PRESENT:

Patrick Halter
Susan Chappell
Juan Montoya

OTHERS PRESENT:

Nick Bullock Rocky Gutierrez
Kellie Garcia Brittany Lopez
Melissa Kountz

MINUTES

PO Box 1293

Albuquerque

I. CALL TO ORDER.

Chairman Patrick Halter called the meeting to order at 9:00 a.m. All members were present.

New Mexico 87103

II. REVIEW AND APPROVAL OF AGENDA FOR MONDAY, JUNE 15, 2015.

Chairman Halter made a motion to approve the agenda. Susan Chappell seconded. Motion passed 3-0.

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III. REVIEW AND APPROVAL OF LABOR BOARD MINUTES FOR JUNE 1, 2015.

Chairman Halter made a motion to approve the minutes for June 1, 2015. Ms. Chappell seconded. Motion passed 3-0.

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

No public comments.

V. RECEIPT, APPROVAL AND SIGNING OF STIPULATED DISMISSALS AND SETTLEMENTS.

VI. Chairman Halter made a motion to sign the Order Granting the City's Unopposed Motion to Extend the Deadline to Submit Closing Arguments in LB 14-11 consolidated with LB 13-14 and LB 12-32. Ms. Chappell seconded. Motion passed 3-0.

VII. LB 13-11, REVIEW OF THE NOTICE OF PRESENTMENT OF SETTLEMENT AGREEMENT. (Fred Mowrer, APOA)

Chairman Halter passed on this item because no one was present from APOA or the city for this matter.

VIII. MOTIONS AND ORDERS:

- **LB 13-04 ORDER OF DISMISSAL. (Rocky Gutierrez, AFSCME)**
- **LB 15-09 CITY'S MOTION FOR SUMMARY JUDGMENT. (Tomas Romero, AFSCME)**

Chairman Halter stated that the Board did receive a notice of non-availability from Rocky Gutierrez and he did send an email to Jessica Enriquez stating he would grant the notice but she did not communicate the response to Mr. Gutierrez. Mr. Gutierrez was present on behalf of AFSCME and apologized for the confusion and stated he was not expected to be present but his matter was cancelled on Friday so he was able to attend. He was not sure if the city had notice or ready to proceed. He asked the Board to reschedule this matter.

Kelly Garcia, Assistant City Attorney appeared on behalf of the city and stated that they received notice that AFSCME would not be prepared to go forward with any of the AFSCME cases on the agenda. She stated that the city was not prepared to present argument and did not know Mr. Gutierrez or Tomas Romero would be present on behalf of AFSCME.

All AFSCME matters are rolled over to June 29, 2015.

IX. STATUS ON OLD CASES:

- **LB 07-12 STEP III GRIEVANCE ON BEHALF OF ANNETTE MATA FOR VIOLATIONS OF THE CBA SECTION 34, QUALIFICATION FOR PROMOTION AND SECTION 35, OFFICIAL JOB DESCRIPTION. (Rocky Gutierrez, AFSCME)**
- **LB 07-29 PROHIBITED PRACTICE COMPLAINT FOR VIOLATIONS OF THE LABOR MANAGEMENT RELATIONS ORDINANCE SECTIONS 3-2-9 A(4) AND SECTION 3-2-13 C(1) THROUGH (3). (Rocky Gutierrez, AFSCME)**
- **LB 07-27, PROHIBITED PRACTICE COMPLAINT ON BEHALF OF GWEN TRANCOSA REGARDING THE VIOLATIONS OF THE CBA WORKPLACE CONDUCT AND THE LMRO SECTION 3-2-9 A(1) A(2) A(4). (Rocky Gutierrez, AFSCME)**

See item VIII.

X. NEW BUSINESS:

- **LB 15-10 PROHIBITED PRACTICE COMPLAINT ON BEHALF OF BLUE COLLAR EMPLOYEES WITHIN THE CITY OF ALBUQUERQUE TRANSIT DEPARTMENT. (Steven Griego, AFSCME)**
- **LB 15-11 STEP III GRIEVANCE ON BEHALF OF VALERIE BARELA EMPLOYEE WITH APD FOR HER 160 HOUR SUSPENSION AND VIOLATION TO INCLUDE BUT NOT LIMITED TO JUST CAUSE. (Rocky Gutierrez, AFSCME)**
- **LB 15-12 STEP III GRIEVANCE ON BEHALF OF CHRISTINE MONTOYA EMPLOYED WITH THE DEPARTMENT OF FAMILY AND COMMUNITY SERVICES FOR HER THREE DAY SUSPENSION. (Michael Dorin, AFSCME)**

See item VIII.

XI. ADJOURNMENT.

Chairman Halter made a motion to adjourn the meeting. Juan Montoya seconded.

APPROVED:



PATRICK HALTER, CHAIR
City Labor Board

6.29.15

DATE

cc: Richard J. Berry, Mayor
Natalie Y. Howard, City Clerk