

CITY OF ALBUQUERQUE



CITY LABOR-MANAGEMENT RELATIONS BOARD

IN PERSON MEETING LOCATION: PLAZA DEL SOL BUILDING, 600 2ND ST NW, BASEMENT HEARING ROOM, ALBUQUERQUE, NM 87102

TO JOIN VIRTUALLY:

<https://cabq.zoom.us/j/82677444498>

Or by calling: 669-444-9171

Meeting ID: 826 7744 4498

Find your local number:

<https://cabq.zoom.us/u/kdOKzYY7Sr>

BOARD MEMBERS

CHAIRMAN TED BACA

JUAN MONTOYA

BRUCE PERLMAN

MONDAY, AUGUST 07, 2023 FROM 9:00 A.M. TO 5:00 P.M.

AGENDA

- I. CALL TO ORDER.**
- II. REVIEW AND APPROVAL OF LABOR BOARD AGENDA FOR MONDAY, AUGUST 07, 2023.**
- III. REVIEW AND APPROVAL OF LABOR BOARD MINUTES:**
 - **MONDAY, JULY 17, 2023.**
 - **TUESDAY, JULY 18, 2023.**
 - **MONDAY, JULY 24, 2023.**
 - **MONDAY, AUGUST 2, 2023.**
- IV. PUBLIC COMMENTS *Limited to three (3) minutes total time per person.**
- V. PRESENTMENT AND APPROVAL OF ORDERS:**
 - **OPEN MEETINGS ACT RESOLUTION APPROVAL AND SIGNATURE**
 - **LB 20-43 STIPULATED ORDER TO DISMISS PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022 ON BEHALF OF BILL MARQUEZ AGAINST THE CITY OF ALBUQUERQUE TRANSIT DEPARTMENT FOR VIOLATIONS OF LMRO 3-2-9(A5)(A6), INCLUDING BUT NOT LIMITED TO CBA 0.1 PREAMBLE.**
 - **LB 20-32 STIPULATED ORDER TO DISMISS PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022 ON BEHALF OF BILL MARQUEZ AGAINST THE CITY OF ALBUQUERQUE AND CITY OF ALBUQUERQUE TRANSIT DEPARTMENT FOR VIOLATIONS OF LMRO 3-2-9A9(5)(6), INCLUDING BUT NOT LIMITED TO CBA 24, DISCIPLINE & INVESTIGATIONS.**

- **LB 21-20 STIPULATED ORDER TO DISMISS PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 624 AGAINST THE CITY OF ALBUQUERQUE SENIOR AFFAIRS DEPARTMENT FOR VIOLATING LMRO 3-2-9(A)(4) REFUSING TO NEGOTIATE IN GOOD FAITH.**
- **LB 23-09 PROPOSED ORDER OF DISMISSAL FOR PROHIBITED PRACTICE COMPLAINT FILED BY APOA AGAINST THE CITY OF ALBUQUERQUE POLICE DEPARTMENT, FOR FAILING TO ADHERE TO THE TERMS OF THE COLLECTIVE BARGAINING AGREEMENT BY IMPOSING DISCIPLINE FOR MATTERS ARISING BEYOND THE TIME LIMITS SET BY POLICY AND THE CBA.**

VI. MISCELLANEOUS/STATUS CONFERENCE:

- **STATUS OF NEW MEXICO PUBLIC EMPLOYEE BARGAINING ACT (PEBA) LETTERS FROM UNIONS. LETTERS MUST BE SUBMITTED BY 11/01/2023.**
- **LB 23-10 SCREEN FOR FACIAL VALIDITY OF NEW PROHIBITED PRACTICE COMPLAINT FILED BY APOA AGAINST THE CITY OF ALBUQUERQUE POLICE DEPARTMENT FOR FAILING TO ADHERE TO THE TERMS OF THE COLLECTIVE BARGAINING AGREEMENT BY ISSUING A SPECIAL-ORDER CHANGING WORKING CONDITIONS OF FORMER HOMICIDE DETECTIVES.**
- **LB 23-11 SCREEN FOR FACIAL VALIDITY OF NEW PROHIBITED PRACTICE COMPLAINT FILED BY APOA ON BEHALF OF ZACHERY HERBST AGAINST THE CITY OF ALBUQUERQUE POLICE DEPARTMENT FOR FAILING TO ADHERE TO THE TERMS OF THE COLLECTIVE BARGAINING AGREEMENT BY NOT COMPLYING WITH THE BOARD'S ORDER REGARDING TIMELY DISCIPLINE (LB 19-35/LB 20-34).**
- **LB 23-12 SCREEN FOR FACIAL VALIDITY OF NEW PROHIBITED PRACTICE COMPLAINT FILED BY COMMUNICATIONS WORKERS OF AMERICA, AFL-CIO ON BEHALF OF QUINN MULHERN AND LANETTE VALDEZ FOR VIOLATING LMRO 3-2-10 (A)(1) THROUGH (7) AND (9) AND SECTIONS 19(A) THROUGH (H) OF PEBA 10-7E-1.**
- **LB 23-13 SCREEN FOR FACIAL VALIDITY OF NEW PROHIBITED PRACTICE COMPLAINT FILED BY APOA ON BEHALF OF JACOB SAIZ AGAINST THE CITY OF ALBUQUERQUE POLICE DEPARTMENT FOR FAILING TO ADHERE TO THE TERMS OF THE COLLECTIVE BARGAINING AGREEMENT SECTION 20.1.16, BY NOT COMPLYING WITH THE BOARD'S ORDER REGARDING TIMELY DISCIPLINE (LB 19-35/LB 20-34).**
- **LB 23-14 SCREEN FOR FACIAL VALIDITY OF NEW PROHIBITED PRACTICE COMPLAINT FILED BY APOA ON BEHALF OF OFFICER C. MARTINEZ AGAINST THE CITY OF ALBUQUERQUE POLICE DEPARTMENT FOR FAILING TO ADHERE TO THE TERMS OF THE COLLECTIVE BARGAINING AGREEMENT SECTION 20.1.16, BY NOT COMPLYING WITH THE BOARD'S ORDER REGARDING TIMELY DISCIPLINE (LB 19-35/LB 20-34).**
- **LB 21-37 PRESENTMENT OF POSITIONS AND STATUS OF AUDIT FOR PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022 ON BEHALF OF ENVIRONMENTAL HEALTH SPECIALIST 1 (M14's) AGAINST THE CITY OF ALBUQUERQUE ENVIRONMENTAL HEALTH DEPARTMENT FOR VIOLATING THE COLLECTIVE BARGAINING AGREEMENT FOR REQUIRING THE SPECIALIST 1 TO TRAIN AND CERTIFY AUTOMOTIVE TECHNICIANS AND AIR CARE INSPECTORS.**
- **LB 20-09 STATUS OF RESOLUTION FOR PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 624 ON BEHALF OF EARL GARCIA AGAINST THE CITY OF ALBUQUERQUE DEPARTMENT OF MUNICIPAL DEVELOPMENT FOR VIOLATIONS OF THE LMRO 3-2-9 (A6) AND CBA 0.1.1 AND 24.1.5 JUST CAUSE TO DETERMINE REINSTATEMENT RIGHTS AND BACKPAY.**

VII. SCHEDULING ORDER:

- **LB 21-54 & LB 22-08 ENTRY OF SCHEDULING ORDER FOR PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 1888 ON BEHALF OF MARLON BATTAGLIA AND MARK FINLEY AGAINST THE CITY OF ALBUQUERQUE DEPARTMENT OF MUNICIPAL DEVELOPMENT FOR CONTRACT VIOLATIONS OF DUE PROCESS AND THE CBA.**

- **LB 23-03 ENTRY OF SCHEDULING ORDER FOR AFSCME LOCALS 624 AND PURSUANT TO ARTICLE 2 OF THE LABOR-MANAGEMENT RELATIONS ORDINANCE (LMRO) SECTION 3-2-9 PROHIBITED PRACTICES, BY AND THROUGH EXECUTIVE BOARD MEMBER, LOUIS MONTOYA, FILES THIS PROHIBITED PRACTICE COMPLAINT ON BEHALF OF ARTHUR BLEA.**
- **LB 23-08 ENTRY OF SCHEDULING ORDER FOR PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022 ON BEHALF OF AUGUSTINE ROMERO AGAINST THE CITY OF ALBUQUERQUE DEPARTMENT OF ARTS & CULTURE, FOR VIOLATIONS OF LMRO 3-2-10 SECTIONS A1 AND A7, INCLUDING BUT NOT LIMITED TO CBA 0.4.1 RECOGNITION.**
- **LB 23-05 ENTRY OF SCHEDULING ORDER FOR PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME COUNCIL 18, LOCALS 624, 1888, 2499, AND 3022 BY AND THROUGH YOUTZ & VALDEZ AGAINST THE CITY OF ALBUQUERQUE FOR VIOLATIONS OF THE LMRO AND COLLECTIVE BARGAINING AGREEMENT.**

VIII. ADJOURNMENT.

****NEXT SCHEDULED MEETING(S):** Tentatively Monday, August 14, 2023 from 9 a.m. to 5 p.m. at the Plaza Del Sol Building, 600 2nd Street NW, Basement Hearing Room, Albuquerque, NM 87102 and by Virtual Zoom.

Notice is hereby given that the City Labor-Management Relations Board has scheduled a meeting for Tuesday, August 7, 2023 from 9:00 a.m. to 5:00 p.m. Except for any portion of the meeting that may be closed by the City Labor-Management Relations Board pursuant to the provision of the New Mexico Open Meetings Act, the meeting will be open to the public.

Any disabled member of the public who wishes to attend the meeting and needs accommodations to attend or participate (such as sign language, interpretation, an amplifier, a reader or other form of accommodation), may contact Nichole Maher at (505) 924-3918 as soon as possible, prior to the meeting. Also, disabled persons who need public documents, such as meeting agendas, etc., in accessible format, may contact Nichole Maher.

POSTED ON THE CITY OF ALBUQUERQUE OFFICE OF ADMINISTRATIVE HEARINGS WEBSITE:

<http://www.cabq.gov/clerk/administrative-hearings/labor-management-relations-board>

DATE POSTED: July 28, 2023