

CITY LABOR - MANAGEMENT RELATIONS BOARD

**TED BACA
JUAN MONTOYA
BRUCE PERLMAN**

MONDAY, DECEMBER 16, 2019 FROM 9:00 A.M. TO 5:00 P.M.

**600 2ND STREET NW
7th FLOOR
ALBUQUERQUE, NM 87102**

AGENDA

- I. CALL TO ORDER.**
- II. REVIEW AND APPROVAL OF THE AGENDA FOR MONDAY, DECEMBER 16, 2019.**
- III. REVIEW AND APPROVAL OF LABOR BOARD MINUTES FOR NOVEMBER 18, 2019 AND NOVEMBER 22, 2019.**
- IV. PUBLIC COMMENTS *Limited to three (3) minutes total time per person.**
- V. RECEIPT, APPROVAL AND SIGNING OF STIPULATED DISMISSALS AND SETTLEMENTS.**
- VI. PRESENTMENT OF ORDERS.**
- VII. STATUS CONFERENCE AND/OR SCHEDULING OF MERITS HEARING:**
 - RESCHEDULED FROM NOVEMBER 18, 2019 - LB 10-06, PROHIBITED PRACTICE COMPLAINT ON BEHALF OF TRANSIT EMPLOYEES AGAINST THE CITY OF ALBUQUERQUE TRANSIT DEPARTMENT. (ROCKY GUTIERREZ, AFSCME 624)**
 - LB 16-18, PROHIBITED PRACTICE COMPLAINT FILED BY THE CITY OF ALBUQUERQUE AGAINST AFSCME LOCAL 624 AND 2962 EMPLOYEES FOR IMPROPERLY BILLING THE CITY FOR UNION TIME.**
 - LB 16-19, STEP III GRIEVANCE FILED BY AFSCME LOCAL 1888 AND DMD SECURITY OFFICERS AGAINST THE CITY OF ALBUQUERQUE DEPARTMENT OF MUNICIPAL DEVELOPMENT FOR NOT FOLLOWING THE COLLECTIVE BARGAINING AGREEMENT REGARDING OVERTIME PROCEDURES FOR OFFICERS.**
 - LB 16-24, PROHIBITED PRACTICE COMPLAINT BY AFSCME LOCAL 3022 AGAINST THE CITY OF ALBUQUERQUE FOR VIOLATING THE LABOR- MANAGEMENT RELATIOS ORDINANCE BY FAILING TO NEGOTIATE WAGES WITH THE UNION AND GIVING RAISES OUSIDE THE TERMS OF THE COLLECTIVE BARGAINING AGREEMENT (LMRO 3-2-9(A)(4)(5)(6), INCLUDING BUT NOT LIMITED TO CBA 0.1,**

PREAMBLE, 0.4.1 RECOGNITION, 2.1.4 SALARY PROVISIONS, 39.1 NON-DISCRIMINATION).

- **LB 16-25, PROHIBITED PRACTICE COMPLAINT BY AFSCME LOCAL 3022 ON BEHALF OF BILL MARTINEZ AGAINST THE CITY OF ALBUQUERQUE TRANSIT DEPARTMENT FOR CONSTANT HARASSMENT AND RETALIATION AGAINST MR. MARQUEZ.**
- **LB 16-27, STEP III GRIEVANCE FILED BY AFSCME LOCAL 2962 ON BEHALF OF TELECOMMUNICATOR EMPLOYEE JOHNATHAN MARCHBANKS AGAINST THE CITY OF ALBUQUERQUE POLICE DEPARTMENT FOR A 32 HOUR UNPAID SUSPENSION GIVEN TO MR. MARCHBANKS.**
- **LB 16-35, STEP III GRIEVANCE FILED BY AFSCME LOCAL 1888 ON BEHALF OF DMD SECURITY OFFICERS AGAINST THE CITY OF ALBUQUERQUE DEPARTMENT OF MUNICIPAL DEVELOPMENT FOR VIOLATING THE COLLECTIVE BARGAINING AGREEMENT-OVERTIME (2.3 THROUGH 2.3.13).**
- **LB 19-36, PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022 AGAINST THE CITY OF ALBUQUERQUE AND CITY OF ALBUQUERQUE SOLID WASTE DEPARTMENT FOR VIOLATING THE LMRO 3-2-7; 3-2-9(A)(4) AND (6) AND THE CBA 13.1; 20.2 AND 24.**
- **RESCHEDULED FROM NOVEMBER 22, 2019-LB 19-39, PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 624 AGAINST THE CITY OF ALBUQUERQUE MUNICIPAL DEVELOPMENT DEPARTMENT FOR FAILING TO NEGOTIATE WITH THE UNION THE CHANGE OF EMPLOYEES HOURS LMRO 3-2-9(A)(4). (ROCKY GUTIERREZ, AFSCME 624)**

VIII. NEW BUSINESS AND ENTERING OF SCHEDULING ORDERS:

- **LB 19-42, PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022 ON BEHALF OF ALBERTO ROBLES AGAINST THE CITY OF ALBUQUERQUE AND CITY OF ALBUQUERQUE AVIATION DEPARTMENT FOR LMRO 3-2-9A6 AND CBA 24. INVESTIGATIONS & DISCIPLINE.**
- **LB 19-43, PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022 ON BEHALF OF ALTHEA GAISTHEA AGAINST THE CITY OF ALBUQUERQUE AND CITY OF ALBUQUERQUE AVIATION DEPARTMENT FOR LMRO 3-2-9A6 AND CBA 24. INVESTIGATIONS & DISCIPLINE.**

IX. THE BOARD WILL VOTE TO ENTER INTO CLOSED EXECUTIVE SESSION PURSUANT TO SECTION 10.15.1.H.3 OF THE OPEN MEETINGS ACT TO DELIBERATE FOR LB 16-20.

X. MERITS HEARING:

- **LB 17-07, PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022 AGAINST THE CITY OF ALBUQUERQUE FOR UNILATERALLY CHANGING TERMS AND CONDITIONS ELIMINATED THE SHIFT DIFFERENTIAL PAY WITHOUT NEGOTIATING WITH THE UNION AND REQUIRING EMPLOYEES TO BACK PAY ANY SHIFT DIFFERENTIAL PAY THEY RECEIVED.**
- **LB 19-16, PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 2962 AGAINST THE CITY OF ALBUQUERQUE POLICE DEPARTMENT FOR VIOLATIONS OF THE LMRO AND THE COLLECTIVE BARGAINING UNIT 7.1.3 AND 7.2.1.**

XI. ADJOURNMENT.

**NEXT SCHEDULED MEETING(S): Friday, January 10, 2020; Monday, January 13, 2020; Friday, January 24, 2020; Monday, February 3, 2020; Monday, February 10, 2020; Friday, February 21, 2020; Monday, March 2, 2020; Monday, March 9, 2020 and Friday, March 13, 2020 at 9:00 a.m., at the Plaza Del Sol Building, 600 2nd Street NW, Suite 720, Albuquerque, NM 87102.

Notice is hereby given that the City Labor-Management Relations Board has scheduled a meeting for Monday, December 16, 2019 from 9:00 a.m. to 5:00 p.m. at 600 2nd Street NW, Albuquerque, NM 87102.

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 accommodations), may contact Jessica Enriquez at 924-3918 at least 5 days prior to the meeting. Also, disabled persons who need public documents such as meeting agendas, etc., in accessible format, may contact Jessica Enriquez.

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

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

DATE POSTED: November 22, 2019