

CITY OF ALBUQUERQUE



LABOR-MANAGEMENT RELATIONS BOARD MONDAY, JULY 24, 2023

MEMBERS PRESENT:

Chairman Ted Baca
Juan Montoya
Bruce Perlman

OTHERS PRESENT:

Nichole Maher
James Montalbano
Mary Weise
Sophie Rane
Leigh Brunner
Merissa Reddy
Bill Maurer
Patricia French (zoom)

Catherine Gonzalez
Jessica Serrano
Shelle Sanchez
Erin Flynn
Augustine Romero
Ian Stoker
Carrie Cook (zoom)

MINUTES

I. CALL TO ORDER.

Chairman Baca called the meeting to order at 1:32 p.m.

II. REVIEW AND APPROVAL OF THE AGENDA FOR MONDAY, JULY 24, 2023.

Mr. Perlman moved to approve. Mr. Montoya seconded. Voted and passed 3-0.

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

None at this time.

IV. MERITS HEARING:

- **CONTINUATION OF LB 21-59 PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022 ON BEHALF OF MARY WEISE FOR VIOLATIONS OF LMRO 3-2-9(A6), INCLUDING BUT NOT LIMITED TO CBA 24 INVESTIGATIONS AND DISCIPLINE.**

Assistant Attorney Catherine Gonzales and Jessica Serrano for the City. Attorney James Montalbano for AFSCME Local 3022.

City's witness Dr. Shelle Sanchez:

Attorney Gonzales discussed Dr. Sanchez's credentials and her role with HR complaints. They spoke about the purpose of Predetermination Hearings. They spoke about the set-up of the room and how notice of the hearing was provided. The information that goes into a notice was discussed, along with the witness' role in deciding outcomes after the predetermination hearing. Attorney Gonzales asked how Dr. Sanchez became aware of a need for an investigation. Dr. Sanchez spoke about the complaint from a BioPark manager and things that were concerns that also came up as the investigation proceeded.

Exhibit B was reviewed with witness. Already admitted into evidence at last meeting, on 7/18/23.

Exhibit D was reviewed with witness. Already admitted into evidence at last meeting, on 7/18/23.

Exhibit E was reviewed with witness. Already admitted into evidence at last meeting, on 7/18/23

Exhibit I was reviewed with witness. Already admitted into evidence at last meeting, on 7/18/23.

**Zoom meeting had been muted on one laptop and was not recording sound for 25 minutes of Dr. Sanchez's testimony.

Dr. Sanchez spoke about communications with Ms. Weise before and at the predetermination hearing. Dr. Sanchez spoke about the decision that was made to demote Ms. Weise. Dr. Sanchez discussed how Ms. Weise not speaking or providing any information on her case affected the outcome. Attorney Gonzales passed the witness.

Attorney Montalbano's cross-examination with Dr. Sanchez:

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Attorney Montalbano spoke with Dr. Sanchez about possible alternatives to demoting and/or moving Ms. Weise from her job.

Attorney Gonzales objected to Attorney Montalbano trying to speak about negotiations she may have entered into. Chairman Baca said this is not about things prior to predetermination. Mr. Montalbano and Chairman Baca discussed what had been said. Chairman Baca asked to hear the audio of the predetermination hearing. Listened to 9 minute 20 second marker to 9 minute 50 second mark.

Attorney Montalbano discussed the Union not having a report from the investigation. Attorney Montalbano discussed if Dr. Sanchez tried to sort out the issue with the report with the Union. Attorney Montalbano asked if there was any evidence Dr. Sanchez could point to showing there was a follow-up. Attorney Montalbano and Dr. Sanchez discussed who was responsible for zoo staffing and about Dr. Sanchez putting Ms. Weise in a role with animal welfare.

Exhibit H was reviewed with Dr. Sanchez. Already admitted into evidence at last meeting, on 7/18/23.

Exhibit D was reviewed with Dr. Sanchez. Already admitted into evidence at last meeting, on 7/18/23.

Exhibit F was reviewed with Dr. Sanchez. Already admitted into evidence at last meeting, on 7/18/23.

Attorney Montalbano discussed with Dr. Sanchez the other issues that were brought up during the course of the investigation.

Exhibit U was reviewed with Dr. Sanchez. Already admitted into evidence at last meeting, on 7/18/23.

Chairman Baca called a break until 3:15 p.m.

Back on record at 3:16 p.m.

Preliminary matter was discussed: zoom audio was not on for first 25 minutes of meeting.

Attorney Gonzales' redirect of witness:

Attorney Gonzales asked Dr. Sanchez to go over process flow again and asked about communicate issues with leadership. City rests.

No cross by Union.

Ended 3:34 p.m.

Off record to see if audio was picked up first 25 minutes of recording.

The City put on record that they will try to recreate the testimony and submit it to the Union for them to stipulate to. If they cannot come to an agreement, they will try to do decide next steps at the 8/2/23 hearing.

V. ADJOURNMENT.

Meeting adjourned.


TED BACA, CHAIR

City Labor-Management Relations Board


DATE