

CITY OF ALBUQUERQUE



LABOR-MANAGEMENT RELATIONS BOARD MONDAY, JUNE 12, 2023

MEMBERS PRESENT:

Chairman Ted Baca
Juan Montoya
Bruce Perlman

OTHERS PRESENT:

Nichole Maher
Augustine Romero
Jessica Serrano
Ian Stoker
Yvonne Grimes(zoom)

Leigh Brunner
James Montalbano
Fred Mowrer
Merissa Reddy (zoom)
Diane Kimberle (zoom)

MINUTES

I. CALL TO ORDER.

Chairman Baca called the meeting to order approximately 9:05 a.m. Board members Bruce Perlman and Juan Montoya were also present.

II. REVIEW AND APPROVAL OF LABOR BOARD AGENDA FOR MONDAY, JUNE 12, 2023.

Mr. Baca stated the Motion for Discovery on agenda item 7 has been resolved and may be vacated/removed. Mr. Perlman noted the discussion concerning screening for validity checklist may be postponed to another date, TBD. Mr. Montoya move to approve the agenda for June 12, 2023. Mr. Perlman seconded. Voted and passed 3-0.

III. REVIEW AND APPROVAL OF LABOR BOARD MINUTES FOR JUNE 5, 2023.

Mr. Montoya moved to approve the Minutes for June 5, 2023. Mr. Perlman seconded. Voted and passed 3-0.

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

Chairman Baca stated he may propose moving public comments to the end of the meetings. TBD at a later point.

V. PRESENTMENT AND APPROVAL OF ORDERS:

• LB 20-35 ORDER TO DISMISS WITH PREJUDICE

Mr. Mowrer stated he submitted another order late Friday that the Board may want to review before this order. The Board said they did not have concerns about entering that order as well. Approved and signed by the Board; both this order and the stipulated order for LB 20-35.

• LB 20-38 STIPULATED ORDER TO DISMISS WITH PREJUDICE

Approved and signed by the Board.

• LB 21-32 STIPULATED ORDER TO DISMISS WITH PREJUDICE

Approved and signed by the Board.

• LB 22-44 ORDER TO DISMISS WITH PREJUDICE

Approved and signed by the Board.

• LB 23-05 ORDER ON FACIAL VALIDITY

Approved and signed by the Board.

To be scheduled for next Labor Board meeting as scheduling order and status conference.

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VI. MISCELLANEOUS/STATUS CONFERENCE:

- **OPEN MEETINGS ACT POLICY RESOLUTION DISCUSSION AND SCHEDULING FOR APPROVAL AND SIGNATURE BY THE BOARD.**

Chairman Baca asked if anything had been changed on the resolution since last year. Ms. Brunner stated she had not changed anything.

Chairman Baca asked to have the resolution added to the agenda for signature by the Board at the next Labor Board meeting in August, 2023.

- **LABOR-MANAGEMENT RELATIONS BOARD SCHEDULING ORDER TEMPLATE REVIEW AND APPROVAL BY BOARD.**

Chairman Baca read and reviewed proposed Scheduling Order.

Approved and signed by Board.

- **NEW MEXICO PUBLIC EMPLOYEE BARGAINING ACT (PEBA) DEADLINE DISCUSSION.**

Ms. Brunner explained that Unions must submit letters stating they wish to have the Labor-Management Relations Board continue operating. Ms. Brunner stated she would send the Unions copies of the letters submitted by them last year, for review.

Chairman Baca asked to add this item to a minimum of one Labor Board meetings per month to check the status.

- **FACIAL VALIDITY CHECKLIST DISCUSSION.**

Postpone to later date, per Board.

- **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.**

Attorney Ian Stoker and Assistant Attorney Jessica Serrano for the City. Attorney James Montalbano on behalf of AFSCME Local 624.

Chairman Baca asked for the status of this case.

Assistant City Attorney Serrano said the parties will be discussing this matter.

Attorney Montalbano said this is subject to a motion filed on backpay and the employee returning to work. If the dispute cannot be resolved between the parties, it will be brought back to the Board for resolution.

Chairman Baca asked when the employee would go back to work.

City Attorney Stoker said they need the employee to decide on a position and employees are started at the beginning of pay periods. The next pay period starts next week.

Chairman Baca said to add this to the next Labor Board agenda as a status conference.

- **LB 21-37 STATUS OF DESK 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.**

Attorney Ian Stoker and Assistant Attorney Jessica Serrano for the City. Attorney Fred Mowrer and James Montalbano on behalf of AFSCME Local 3022.

City Attorney Stoker said they are still waiting for a completed report and do not have anything new to add at this time.

Attorney Montalbano said they are willing to wait until July to receive the report and resolution.

Chairman Baca said to add to the July Labor Board agenda for status of resolution.

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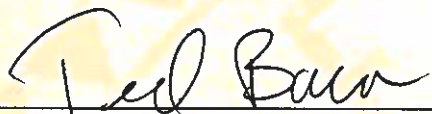


VII. MOTION HEARING:

- **LB 23-07 MOTION FOR DISCOVERY HEARING ON PROHIBITED PRACTICE COMPLAINT FILED BY APOA, ON BEHALF OF KELLIE WHITEHOUSE AGAINST THE CITY OF ALBUQUERQUE POLICE DEPARTMENT, FOR FAILING TO ADHERE TO THE TERMS OF THE COLLECTIVE BARGAINING AGREEMENT AND TAKING ADVERSE EMPLOYMENT ACTIONS.**
This issue has been resolved. Vacated by Board.

VIII. ADJOURNMENT.

Chairman Baca adjourned the meeting at 9:40 a.m.



TED BACA, CHAIR
City Labor-Management Relations Board

July 17, 2023
DATE

cc: Tim Keller, Mayor

Ethan Watson, City Clerk