



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/84284550384>

Or by calling: 669-444-9171

Meeting ID: 84284550384

Find your local number:

<https://cabq.zoom.us/u/k5kDXSTUX>

BOARD MEMBERS

CHAIRMAN TED BACA

JUAN MONTOYA

BRUCE PERLMAN

MONDAY, JUNE 05, 2023 FROM 9:00 A.M. TO 5:00 P.M.

AGENDA

PO Box 1293

I. CALL TO ORDER.

Albuquerque

II. REVIEW AND APPROVAL OF LABOR BOARD AGENDA FOR MONDAY, JUNE 05, 2023.

III. REVIEW AND APPROVAL OF LABOR BOARD MINUTES FOR APRIL 24, 2023.

NM 87103

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

V. PRESENTMENT AND APPROVAL OF ORDERS:

www.cabq.gov

- **LB 21-38 STIPULATED ORDER TO DISMISS**
- **LB 20-50 STIPULATED ORDER TO DISMISS WITH PREJUDICE**
- **LB 20-17 STIPULATED ORDER TO DISMISS WITH PREJUDICE**
- **LB 20-30 ORDER TO DISMISS WITH PREJUDICE**
- **LB 21-40 ORDER TO DISMISS WITH PREJUDICE**
- **LB 21-43 ORDER TO DISMISS WITH PREJUDICE**
- **LB 21-69 ORDER TO DISMISS WITH PREJUDICE**
- **LB 22-41 ORDER TO DISMISS WITH PREJUDICE**
- **LB 20-04 ORDER TO WITHDRAW AS COUNSEL**
- **LB 21-35 ORDER TO WITHDRAW AS COUNSEL**
- **LB 20-35 ORDER TO WITHDRAW AS COUNSEL**
- **LB 21-40 ORDER TO WITHDRAW AS COUNSEL**
- **LB 20-09 ORDER GRANTING SUBSTITUTION OF COUNSEL**

- **LB 21-54 ORDER GRANTING SUBSTITUTION OF COUNSEL**
- **LB 22-08 ORDER GRANTING SUBSTITUTION OF COUNSEL**
- **LB 22-01 ORDER GRANTING SUBSTITUTION OF COUNSEL**
- **LB 22-09 ORDER GRANTING SUBSTITUTION OF COUNSEL**
- **LB 22-19 ORDER GRANTING SUBSTITUTION OF COUNSEL**

VI. MISCELLANEOUS/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.**

VII. SCREENING/INVESTIGATION AND ENTRY OF SCHEDULING ORDER:

- **LB 21-54 PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 1888 ON BEHALF OF MARLON BATTAGLIA AND MARK FINLEY AGAINST THE CITY OF ALBUQUERQUE MUNICIPAL DEVELOPMENT DEPARTMENT FOR VIOLATING THE COLLECTIVE BARGAINING AGREEMENT 24.1 INVESTIGATIONS, SUB-SECTIONS 24.1.3, 24.1.3.1 AND 24.3.2.**
- **LB 22-08 PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 1888 ON BEHALF OF MARLON BATTAGLIA AND MARK FINLEY AGAINST THE CITY OF ALBUQUERQUE MUNICIPAL DEVELOPMENT DEPARTMENT FOR VIOLATING THE COLLECTIVE BARGAINING AGREEMENT 24.1 INVESTIGATIONS, SUB-SECTIONS 24.1.3, 24.1.3.1 AND 24.3.2.**
- **LB 21-74 PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022 ON BEHALF OF AUGUSTINE ROMERO AGAINST THE CITY OF ALBUQUERQUE ARTS & CULTURE DEPARTMENT FOR VIOLATIONS OF LMRO 3-2-9 (A5) AND (A6), INCLUDING BUT NOT LIMITED TO CBA 0.1 PREAMBLE, 0.4.1 RECOGNITION, 23.1.1 CONDITIONS OF EMPLOYMENT, 39.1 NON-DISCRIMINATION.**
- **LB 23-03 PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 624 BY AND THROUGH EXECUTIVE BOARD MEMBER LOUIS MONTOYA ON BEHALF OF ARTHUR BLEA AGAINST THE CITY OF ALBUQUERQUE TRANSIT DEPARTMENT FOR VIOLATING THE COLLECTIVE BARGAINING AGREEMENT PURSUANT TO ARTICLE 2 OF THE LMRO SECTION 3-2-9 INCLUDING BUT NOT LIMITED TO CBA 24.1.7 JUST CAUSE, 24.1.5.1 DISCIPLINE AND INVESTIGATIONS AND 902.2 DISCIPLINARY PROCEDURES.**
- **LB 23-05 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 LMRO SECTION 3-2-8 AND SECTION 3-2-10 (A)(5), (7) AND (9) AND CBA SECTION 2.1.4 PAY EQUITY.**
- **LB 23-08 SCREEN FOR FACIAL VALIDITY OF NEW 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.**

VIII. MOTION HEARING:

- **LB-20-09 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.**

IX. MERITS HEARING:

- **LB 22-24 PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022 ON BEHALF OF ROBELLIA RUIZ AGAINST THE CITY OF ALBUQUERQUE FAMILY AND COMMUNITY SERVICES DEPARTMENT FOR VIOLATIONS OF LMRO 3-2-9 (A6), INCLUDING BUT NOT LIMITED TO CBA 24 INVESTIGATIONS AND DISCIPLINE, 24.2.3 TERMINATION, 25.2 APPEALS AND PERSONNEL RULES AND REGULATIONS, 301.2 PROFESSIONAL EXCELLENCE AND 301.3 STANDARDS OF CONDUCT.**

X. ADJOURNMENT.

****NEXT SCHEDULED MEETING(S):** June 12, 2023 at the Plaza Del Sol Building, 600 2nd Street NW, Basement Hearing Room, Albuquerque, NM 87102 and by virtual Zoom from 9:00 a.m. to 5:00 p.m.

Notice is hereby given that the City Labor-Management Relations Board has scheduled a meeting for Monday, June 5, 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, 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: MAY 26, 2023