

# CITY OF ALBUQUERQUE



## LABOR-MANAGEMENT RELATIONS BOARD

*Monday, February 23, 2015*

600 2<sup>nd</sup> Street NW, 7<sup>th</sup> Floor, Albuquerque, NM 87102

### HEARING ROOM 1

MEMBERS PRESENT:

*Patrick Halter  
Susan Chappell  
Juan Montoya*

OTHERS PRESENT:

*Nick Bullock  
Marie Legrand-Miller  
Rocky Gutierrez  
Brittany Lopez  
Robert Griego  
Lou Hoffman  
Carla Navarrette  
Jessica Enriquez*

### **MINUTES FOR**

### **MORNING AGENDA**

PO Box 1293

Albuquerque

New Mexico 87103

[www.cabq.gov](http://www.cabq.gov)

**I. CALL TO ORDER.**

Chairman Patrick Halter called the meeting to order at 9:04 a.m. All members were present.

**II. REVIEW AND APPROVAL OF AGENDA FOR MONDAY, FEBRUARY 23, 2015.**

Chairman Halter made a motion to approve the agenda. Susan Chappell seconded. Motion passed 3-0.

**III. REVIEW AND APPROVAL OF LABOR BOARD MINUTES FOR FEBRUARY 2, 2015.**

Chairman Halter made a motion to approve the minutes for February 2, 2015. Juan Montoya seconded. Motion passed 3-0.

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

Marie Legrand-Miller, Assistant City Attorney appeared on behalf of the City of Albuquerque and asked the Board to schedule LB 11-11 for March 16, 2015. Rocky Gutierrez appeared on behalf of AFSCME 624 and stated that he will not be available for March 16<sup>th</sup> but can be prepared for March 30, 2015.

Matter will be scheduled for March 30, 2015.

**V. STATUS REVIEW IN LB 12-22 (AFSCME)**

Chairman Halter made a motion to approve the Stipulated Motion to Dismiss that was submitted by the parties. Ms. Chappell seconded. Motion passed 3-0.

**VI. LB 12-31, AFSCME'S RESPONSE TO CITY'S MOTION TO DISMISS.**

Chairman Halter made a motion to grant the Stipulated Motion to Vacate and Reset. Mr. Montoya seconded. Motion passed 3-0.

**VII. LB 14-23, REVIEW OF CITY'S AMENDED ANSWER TO PROHIBITED PRACTICE COMPLAINT, POSITION STATEMENT AND MOTION FOR DISMISSAL.**

Rocky Gutierrez appeared on behalf of AFSCME and stated that this matter has been settled and they voluntarily dismiss this matter. Marie Legrand-Miller on behalf of the City of Albuquerque did not object to the voluntary dismissal. Chairman Halter stated that this matter is closed per AFSCME's verbal dismissal and the Board will take no further action on this matter.

**VIII. MERITS HEARING**

• **CONTINUATION OF LB 11-26 STEP III GRIEVANCE ON BEHALF OF DEPARTMENT OF FINANCE EMPLOYEE CARLA NAVARRETTE, DENIED SELECTION OF PROMOTION PROCESS. (ROCKY GUTIERREZ, AFSCME)**

Marie Legrand-Miller, Assistant City Attorney appeared on behalf of the City of Albuquerque. Rocky Gutierrez appeared on behalf of AFSCME and Carla Navarrete who was also present.

The City called their witness Robert Griego to testify. Mr. Griego was sworn in by Chairman Halter. Ms. Legrand-Miller questioned Griego of his knowledge of the issue involving the c-series per the collective bargaining agreement. Mr. Griego stated that Ms. Navarrete is a clerical employee and he discussed the clerical series contract and the M-series contract. He stated that an employee can be temporarily upgraded when a position is vacant but there is nothing in the contracts that says that the person doing the temporarily upgrade has to be hired for the position.

The City called their witness to testify Lou Hoffman, Director of Finance. He stated that he has known Ms. Navarrete for twenty five years. He explained his knowledge of the temporarily upgrade process and his involvement with the process.

Parties will submit Written Briefs on or by March 13, 2015 and this matter will be scheduled on the agenda for March 30, 2015.

**IX. ADJOURNMENT.**

Chairman Halter made a motion to adjourn. Mr. Montoya seconded. Motion passed 3-0 and the meeting was adjourned at 9:53 a.m.

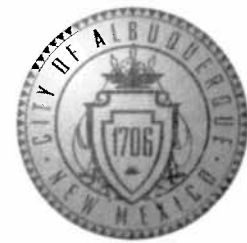
**APPROVED:**

  
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**PATRICK HALTER, CHAIR**  
**City Labor Board**

  
\_\_\_\_\_  
**DATE**

cc: Richard J. Berry, Mayor  
Trina Gurule, Acting City Clerk

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## LABOR-MANAGEMENT RELATIONS BOARD

*Monday, February 23, 2015*

600 2<sup>nd</sup> Street NW, 7<sup>th</sup> Floor, Albuquerque, NM 87102

### HEARING ROOM 1

MEMBERS PRESENT:

*Patrick Halter  
Susan Chappell  
Juan Montoya*

OTHERS PRESENT:

*Nick Bullock  
Kathy Levy  
Fred Mowrer  
John D'Amato  
Jessica Enriquez*

### *MINUTES FOR*

### AFTERNOON AGENDA

PO Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

- I. **CALL TO ORDER.**  
Chairman Patrick Halter called the meeting to order at 1:00 p.m. All members were present.
- II. **REVIEW AND APPROVAL OF AGENDA FOR MONDAY, FEBRUARY 23, 2015.**  
Chairman Halter made a motion to approve the agenda. Juan Montoya seconded. Motion passed 3-0.
- III. **REVIEW AND APPROVAL OF LABOR BOARD MINUTES FOR FEBRUARY 2, 2015.**  
Minutes were approved at the morning meeting. See morning agenda for February 23, 2015.
- IV. **PUBLIC COMMENTS \*Limited to three (3) minutes total time per person.**  
No Public Comments
- V. **SCHEDULING OF CASES FOR HEARING IN:**
  - **LB 12-26 (JOHN D'AMATO)**  
John D'Amato appeared on behalf of APOA and Kathy Levy, Assistant City Attorney appeared on behalf of the City of Albuquerque. Parties discussed scheduling and will file a certificate of readiness with the Board when they are prepared to schedule this matter for hearing.
  - **LB 13-12 (JOHN D'AMATO)**  
John D'Amato appeared on behalf of APOA and Kathy Levy, Assistant City Attorney appeared on behalf of the City of Albuquerque. Mr. D'Amato stated that the parties have agreed to defer any action on this matter until closing of law enforcement academy board decision. The parties will file certificate of readiness with the Board for scheduling.
  - **LB 14-26 (FRED MOWRER, APOA)**  
Fred Mowrer appeared on behalf of APOA and Kathy Levy, Assistant City Attorney appeared on behalf of the City of Albuquerque. Mr. Mowrer and asked the Board to put off scheduling

of this matter for 60 days because this matter may be resolved or facts may be clarified. Mr. Mowrer will notify the Hearing Monitor, Jessica Enriquez when he is prepared to go forward with this matter.

**VI. MERITS HEARING**

- **LB 14-13 ALBUQUERQUE'S POLICE DEPARTMENT FOR VIOLATION OF CONTRACTUAL OBLIGATIONS BY IMPLEMENTING A NEW BID SCHEDULE FOR LIEUTENANTS. (FRED MOWRER, APOA)**

Fred Mowrer appeared on behalf of APOA and Kathy Levy, Assistant City Attorney appeared on behalf of the City of Albuquerque. Chairman Halter made a motion to grant the Stipulated Order of Dismissal. Susan Chappell seconded. Motion passed 3-0.

**VII. ADJOURNMENT.**

Chairman Halter made a motion to adjourn. Ms. Chappell seconded. Motion passed 3-0 and the meeting was adjourned at 1:07 p.m.

**APPROVED:**



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**PATRICK HALTER, CHAIR**  
City Labor Board

3/16/15  
**DATE**

cc: Richard J. Berry, Mayor  
Trina Gurule, Acting City Clerk