

CITY OF ALBUQUERQUE



LABOR-MANAGEMENT RELATIONS BOARD
Wednesday, February 7, 2018
600 2nd Street NW, 7th Floor, Albuquerque, NM 87102
HEARING ROOM 1

MEMBERS PRESENT:

Chairman Ted Baca
Juan Montoya
Michael Wartell

OTHERS PRESENT:

Eric Locher
Ian Stoker
Greg Smith
Jorge Hernandez
Bianca Dominguez
Jessica Enriquez
Tomas Romero
Mike Dorin
Rocky Gutierrez
Jason Burnette
Jeremiah Hobbs

Minutes

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

I. CALL TO ORDER.

Chairman Ted Baca called the meeting to order at 9:03 a.m. Board members Juan Montoya and Michael Wartell were also present.

II. REVIEW AND APPROVAL OF AGENDA FOR WEDNESDAY, FEBRUARY 7, 2018.

Mr. Wartell moved to approve the agenda for February 7, 2018. Mr. Montoya seconded. Vote taken and passed 3-0.

III. REVIEW AND APPROVAL OF MINUTES FOR MONDAY, JANUARY 8, 2018.

Mr. Wartell moved to approve the minutes for January 8, 2018. Mr. Montoya seconded. Vote taken and passed 3-0.

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

No public comments.

V. RECEIPT, APPROVAL AND SIGNING OF STIPULATED DISMISSALS AND SETTLEMENTS.

LB 10-19, Stipulated Order of Dismissal approved and signed by the Board members.

VI. PRESENTMENT OF ORDERS.

• **LB 17-07, ORDER DENYING SUMMARY JUDGMENT.**

Approved and signed by the Board members.

- **LB 15-25, ORDER GRANTING RESPONDENT'S UNOPPOSED MOTION FOR WITNESS TO APPEAR AT THE HEARING TELEPHONICALLY.**

Jason Burnette, Attorney from German & Associates appeared on behalf of the City of Albuquerque. Rocky Gutierrez appeared on behalf of AFSCME.

Mr. Burnette stated that the witness Mark Shepard is now retired and lives in Oregon. After a brief discussion the parties and the Board members agreed to continue and reschedule this matter to have Mr. Shepard appear via video conference. Mr. Wartell moved to deny the Order and continue this matter and order Mr. Shepard to appear via video conference. Mr. Montoya seconded. Vote taken and passed 3-0.

This matter was rescheduled for March 2, 2018 at 8:00 a.m.

VII. STATUS ON VACATED MOTIONS HEARINGS:

- **LB 15-01, CITY'S MOTION TO DISMISS AND PETITIONER'S RESPONSE TO CITY'S MOTION TO DISMISS.**

Ian Stoker, Assistant City Attorney appeared on behalf of the City. Mr. Gutierrez appeared on behalf of AFSCME. Mr. Stoker stated that this matter has a pending settlement agreement that has been sent to the Chief Administrative Officer for approval and they are waiting for an answer. Chairman Baca rescheduled this matter for status update on March 19, 2018.

- **LB 16-08, CITY'S AMENDED MOTION TO DISMISS AND MOTION FOR SUMMARY JUDGMENT AND AFSCME'S RESPONSE TO CITY'S MOTION TO DISMISS AND MOTION FOR SUMMARY JUDGMENT.**

Mr. Stoker appeared on behalf of the City. Mr. Gutierrez appeared on behalf of AFSCME. Mr. Stoker stated that the parties were not able to reach an agreement and therefore ready to move forward with scheduling the motions hearing. He also asked the Board to schedule LB 16-07 for a motions hearing. Chairman Baca scheduled LB 16-07 and LB 16-08 for motions hearing on March 19, 2018.

VIII. MERITS HEARING:

- **LB 15-25, STEP III GRIEVANCE FILED BY AFSCME LOCAL 1888 ON BEHALF OF DEPARTMENT OF MUNICIPAL DEVELOPMENT SECURITY OFFICER JEREMIAH HOBBS FOR COMPENSATION OF FOUR HOURS FOR BEING PRE-SELECTED TO FILL AN OVERTIME POSITIONS WHEN HE IS A SHIFT OFFICER AND FOR VIOLATIONS OF THE COLLECTIVE BARGAINING AGREEMENT.**

This matter was rescheduled to March 2, 2018. See item VI.

IX. ADJOURNMENT.

Chairman Baca moved to adjourn the meeting. Vote taken and passed 3-0. The meeting was adjourned at 9:33 a.m.

APPROVED:



TED BACA, CHAIR
City Labor Management Relations Board

F-69, 2018
DATE

cc: Tim Keller, Mayor
Trina Gurule, Interim City Clerk