

CITY OF ALBUQUERQUE

CITY LABOR-MANAGEMENT RELATIONS BOARD

MONDAY, MARCH 25, 2024

MEMBERS PRESENT:

*Chairman Ted Baca
Juan Montoya
Bruce Perlman*

OTHERS PRESENT:

*Nichole Maher
Joel Villarreal
Merissa Reddy
Charles Davis
Augustine Romero (zoom)*

*Catherine Gonzalez
Louis Sisneros
Louis Montoya
Michael Dorin (zoom)*

MINUTES

I. CALL TO ORDER.

Chairman Baca called the meeting to order at 9:06 a.m. All three members of the Board were present in person.

II. REVIEW AND APPROVAL OF AGENDA FOR MONDAY, MARCH 25, 2024.

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

III. REVIEW AND APPROVAL OF MINUTES FOR MONDAY, MARCH 11 2024.

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

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

None.

V. PRESENTMENT AND APPROVAL OF ORDERS:

• **LB 23-08 AMENDED/CORRECTED ORDER TO DISMISS**

Order was not submitted to OAH. Parties say they agreed to one they sent each other on 3/11/24. Chairman Baca said to add the order to the April 8, 2024 agenda for signature by the Board.

VI. MISCELLANEOUS/STATUS CONFERENCE:

• **LB 24-07 FACIAL VALIDITY SCREENING FOR NEW PROHIBITED PRACTICE COMPLAINT FILED BY ATTORNEY FRED MOWRER ON BEHALF OF THE APOA AND OFFICER TRACY DRAGER, AGAINST THE CITY OF ALBUQUERQUE POLICE DEPARTMENT FOR VIOLATING THE CBA AND RIGHTS OF OFFICERS BY IMPOSING LATE DISCIPLINE UPON THE OFFICER.**

Attorney Catherine Gonzalez appeared on behalf of the City. Attorney Fred Mowrer was absent due to an emergency in Santa Fe.

Chairman Baca read aloud the new PPC. Attorney Gonzalez stated Attorney Mowrer was in Santa Fe for an emergency and was not here to speak on the PPC's behalf. The City did not agree that the PPC was timely filed. Chairman Baca said this would be continued to the next Labor Board meeting on April 8, 2024 so Attorney Mowrer will have a chance to defend the PPC.

- **LB 24-05 HEARING ON BRIEFINGS FOR PROHIBITED PRACTICE COMPLAINT FILED BY ATTORNEY FRED M. MOWRER ON BEHALF OF THE ALBUQUERQUE POLICE OFFICERS' ASSOCIATION AGAINST THE ALBUQUERQUE POLICE DEPARTMENT FOR VIOLATING EMPLOYMENT RIGHTS TO AN INDEPENDENT ADMINISTRATION INVESTIGATION, VIOLATING DEPARTMENT POLICIES AND VIOLATING EMPLOYER'S GARRITY RIGHTS.**

Attorney Catherine Gonzalez appeared on behalf of the City. Attorney Fred Mowrer was absent due to an emergency in Santa Fe. Continued to April 8, 2024 meeting.

VII. MOTION HEARING:

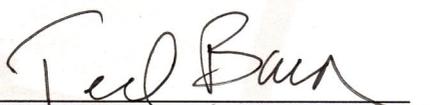
- **LB 24-01 MOTION TO RECONSIDER FOR PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 2962, COUNCIL 18, STAFF REPRESENTATIVE JOEL VILLARREAL ON BEHALF OF ANTOINETTE CANDELARIA, AGAINST THE CITY OF ALBUQUERQUE DEPARTMENT OF ARTS AND CULTURE FOR VIOLATING LMRO § 3-2-10 (A)(7), IN ADDITION TO WELL-ESTABLISHED CASE LAW WHICH REQUIRES THE PARTIES TO ABIDE BY THEIR WRITTEN AGREEMENTS.**

Attorney Catherine Gonzalez appeared on behalf of the City. Joel Villarreal appeared on behalf of AFSCME Local 2962.

It was discussed that the caption on the agenda for LB 24-01 was incorrect and it was fine to continue with the motion hearing today. Attorney Gonzalez stated there were other processes the Union could take to grieve this case. Chairman Baca asked the City's statement with the Union. Attorney Gonzalez stated the City did not feel the Board had jurisdiction over this matter. Mr. Perlman and Chairman Baca discussed the issue with both parties. Chairman Baca moved to deny the Union's motion. Mr. Perlman seconded. Voted and denied Union's motion 3-0.

VIII. ADJOURNMENT.

Chairman Baca adjourned the meeting at 9:35 a.m.


TED BACA, CHAIR

City Labor-Management Relations Board

April 22, 2024
DATE

1706