

LABOR-MANAGEMENT RELATIONS BOARD
Monday, March 9, 2020
600 2nd Street NW, 7th Floor, Albuquerque, NM 87102
HEARING ROOM 1

MEMBERS PRESENT:

Chairman Ted Baca
Juan Montoya
Bruce Perlman

OTHERS PRESENT:

Leigh Brunner *Patricia French*
Juan Martinez Luna *Jessica Enriquez*
Devon Moody
Justin Pennington

Minutes

I. CALL TO ORDER.

Chairman Ted Baca called the meeting to order. Board members Juan Montoya and Bruce Perlman were also present.

II. REVIEW AND APPROVAL OF THE AGENDA FOR MONDAY, MARCH 9 2020.

Mr. Montoya moved approval of the agenda for March 9, 2020. Chairman Baca seconded. Voted and passed 3-0.

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

Devon Moody, Assistant City Attorney stated that LB 19-29 scheduled for March 13, 2020 merits hearing, the parties have reached a settlement agreement. Chairman Baca stated that with no other matters scheduled for March 13, 2020 the meeting is cancelled.

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

- **LB 19-27, ORDER ON CITY'S MOTION FOR SUMMARY JUDGMENT.**
Approved and signed by the Board.

V. PRESENTMENT OF ORDERS. None.

VI. NEW BUSINESS AND ENTERING OF SCHEDULING ORDERS:

- **LB LB-20-01-PROHIBITED PRACTICE COMPLAINT BY AFSCME LOCAL 2962 ON BEHALF OF MAGAN GEE AGAINST THE CITY OF ALBUQUERQUE AVIATION DEPARTMENT FOR VIOLATIONS OF LMRO 3-2-9 (A)(1) AND (6) AND CBA 0.1.1; 17.2.1; 23.1.1 AND 23.1.2.**

Ms. Moody appeared on behalf of the City and asked for a date for merits hearing and the parties will create and submit a Scheduling Order. The Board scheduled this matter for merits hearing on August 3, 2020.

- **LB-20-02-PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022 ON BEHALF OF LAWRENCE SEGURA AGAINST THE CITY OF ALBUQUERQUE FAMILY & COMMUNITY SERVICES DEPARTMENT FOR VIOLATIONS OF LMRO 3-2-9 (A) (6) AND CBA 0.1 PREAMBLE AND 24.2 DISCIPLINARY ACTIONS.**

Juan Martinez, Assistant City Attorney for the City of Albuquerque presented a Scheduling Order that was approved and signed by the Board and scheduled for merits hearing on August 10, 2020.

- **LB-20-03-PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022 ON BEHALF OF MICHELLE ROMERO AGAINST THE CITY OF ALBUQUERQUE POLICE DEPARTMENT FOR VIOLATIONS OF LMRO 3-2-9 (A)(6), CBA 0.1 PREAMBLE AND 39.1 NON-DISCRIMINATION.**
Patricia French appeared on behalf of AFSCME 3022 and Justin Pennington, Assistant City Attorney appeared on behalf of the City. The parties presented a Scheduling Order that was approved and signed by the Board and scheduled for merits hearing on August 10, 2020.
- **LB-20-04-PROHIBITED PRACTICE COMPLAINT FILED BY THE ALBUQUERQUE POLICE OFFICERS' ASSOCIATION AGAINST THE CITY OF ALBUQUERQUE POLICE DEPARTMENT FOR VIOLATIONS OF THE COLLECTIVE BARGAINING AGREEMENT.** Justin Pennington appeared on behalf of the City and stated that Fred Mowrer does not object the form of the Scheduling Order. Chairman Baca scheduled this matter for merits hearing on August 3, 2020.
- **LB-20-05 PROHIBITED PRACTICE COMPLAINT FILED BY THE AFSCME LOCAL 3022 ON BEHALF OF MICHELLE ROMERO AGAINST THE CITY OF ALBUQUERQUE POLICE DEPARTMENT FOR VIOLATIONS OF THE LMRO 3-2-9A6, INCLUDING BUT NOT LIMITED TO CBA 0.1 PREAMBLE, 24. INVESTIGATIONS AND DISCIPLINE.** Ms. French appeared on behalf of AFSCME 3022 and Ms. Moody on behalf of the City and the parties agreed to schedule this matter for merits hearing on August 10, 2020. A Scheduling Order was not submitted.

VII. STATUS CONFERENCE:

- **LB 16-27, STEP III GRIEVANCE FILED BY AFSCME LOCAL 2962 ON BEHALF OF TELECOMMUNICATOR EMPLOYEE JOHNATHAN MARCHBANKS AGAINST THE CITY OF ALBUQUERQUE POLICE DEPARTMENT FOR A 32 HOUR UNPAID SUSPENSION GIVEN TO MR. MARCHBANKS. (MICHAEL DORIN, AFSCME 2962)** Mr. Pennington stated that this matter has been resolved. Chairman Baca scheduled this matter for status conference on April 15, 2020.
- **LB 19-36, PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022 AGAINST THE CITY OF ALBUQUERQUE AND CITY OF ALBUQUERQUE SOLID WASTE DEPARTMENT FOR VIOLATING THE LMRO 3-2-7; 3-2-9(A)(4) AND (6) AND THE CBA 13.1; 20.2 AND 24. (PATRICIA FRENCH, AFSCME 3022)** Ms. Moody appeared for the City and Ms. French on behalf of AFSCME 3022 and they stated that this matter is resolved and pending final documents. Chairman Baca scheduled this matter for status conference on April 6, 2020.

VIII. ADJOURNMENT.

Mr. Perlman moved to adjourn. Mr. Montoya seconded. Voted and passed 3-0.

APPROVED:

TED BACA, CHAIR
City Labor Management Relations Board

DATE

cc: Tim Keller, Mayor
Ethan Watson, City Clerk