



LABOR-MANAGEMENT RELATIONS BOARD

Friday, May 6, 2022

MEMBERS PRESENT:

Chairman Ted Baca
Juan Montoya
Bruce Perlman

OTHERS PRESENT:

Leigh Brunner	Fred Mowrer
Ian Stoker	Michael Dorin
Justin Pennington	Rocky Gutierrez
Catherine Gonzalez	Merissa Reddy
Carrie Cook	Jessica Enriquez

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 FRIDAY, MAY 6, 2022.

Assistant City Attorney Justin Pennington asked the Board to move item VIII to item IX. Motion was voted and passed by the Board members 3-0.

III. REVIEW AND APPROVAL OF LABOR BOARD MINUTES FOR FEBRUARY 28, 2022.

Mr. Montoya moved to approve the minutes for February 28, 2022. Chairman Baca seconded. Voted and passed 3-0.

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

Attorney Fred Mowrer appeared on behalf of the Albuquerque Police Officers' Association and stated that the Union filed LB 22-21, Petition for Temporary Restraining Order and Preliminary Injunctive Relief and requested that the Board schedule for hearing as soon as possible. Assistant City Attorney Ian Stoker appeared on behalf of the City. After discussion of scheduling dates, the Board scheduled this matter for merits hearing on Monday, May 16, 2022 at 1:30 p.m. Mr. Stoker introduced Assistant City Attorney Carrie Cook.

V. DISCUSSION OF GENERAL NOTICE AND MEETING REQUIREMENTS UNDER

§ 2-6-1-4 SECTION B (2) R.O.A. 1994. Assistant City Attorney and Board counsel Leigh Brunner stated that the Board's Open Meetings Resolution needs to be updated as required annually and needs to be added soon to a future agenda. Chairman Baca stated that the Board's Proposed Resolution will be added to the August 1, 2022 agenda.

VI. RECEIPT OR PRESENTMENT OF STIPULATED DISMISSALS AND SETTLEMENTS:

- **LB 19-36, STIPULATED ORDER OF DISMISSAL WITH PREJUDICE**
Approved and signed by the Board.
- **LB 20-37, STIPULATED ORDER OF DISMISSAL.**
Approved and signed by the Board.
- **LB 21-18, ORDER TO DISMISS WITH PREJUDICE**
Approved and signed by the Board.
- **LB 19-45, LB 19-46, LB 20-07, LB 20-25, LB 21-09, STIPULATED ORDER OF DISMISSAL.**
Approved and signed by the Board.

VII. PRESENTATION OF ORDERS:

- **LB 19-47, ORDER ON JOINT MOTION TO DISMISS**
Approved and signed by the Board.
- **LB 19-47, STIPULATED ORDER OF DISMISSAL WITHOUT PREJUDICE**
Approved and signed by the Board.
- **LB 21-02, STIPULATED ORDER OF DISMISSAL**
Approved and signed by the Board.
- **LB 21-45, PARTIAL STIPULATED ORDER**
- **LB 21-52, STIPULATED ORDER.**

Assistant City Attorneys Ian Stoker and Justin Pennington appeared on behalf of the City. Attorney Fred Mowrer appeared on behalf of APOA. The parties stated that the Orders submitted for LB 21-45 and LB 21-52 were intended for the Board's review as to the form of the Orders prior to approving. Based on the fact that if the Board approves the Orders they will be used as a templet for forty to fifty other cases that will be discussed in item IX. After discussion Mr. Pennington asked the Board to not act on the Orders and Chairman Baca stated that they are held in abeyance until further notice by the parties. See item IX.

VIII. STATUS CONFERENCE RESCHEDULED FROM FEBRUARY 28, 2022:

- **LB 15-07, PROHIBITED PRACTICE COMPLAINT FILED ON BEHALF OF AFSCME LOCAL 1888, 624 AND 2962 AGAINST THE CITY OF ALBUQUERQUE HUMAN RESOURCES DEPARTMENT FOR VIOLATIONS OF THE LABOR MANAGEMENT RELATIONS ORDINANCE SECTIONS 3-2-9.**

Mr. Stoker appeared on behalf of the City and Rock Gutierrez appeared on behalf of AFSCME. Mr. Stoker stated that the parties have reached an agreement and settlement is pending review, approval and signature. Chairman Baca rescheduled this matter for status conference on August 1, 2022.

- **LB 20-51, PROHIBITED PRACTICE COMPLAINT FILED BY THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 244 AGAINST THE CITY OF ALBUQUERQUE AND CITY OF ALBUQUERQUE FIRE DEPARTMENT FOR VIOLATING THE COLLECTIVE BARGAINING AGREEMENT AND THE PAST PRACTICES BETWEEN THE PARTIES.**

Assistant City Attorney Catherine Gonzalez appeared on behalf of City and Mr. Mowrer appeared on behalf of APOA. The parties stated that this matter has been settled and pending final documents. Chairman Baca rescheduled this matter for status conference on August 1, 2022.

IX. THE ALBUQUERQUE POLICE OFFICERS' ASSOCIATION AND THE CITY OF ALBUQUERQUE WILL PRESENT A LIST OF PENDING APOA CASES.

Mr. Stoker and Mr. Pennington appeared on behalf of the City. Mr. Mowrer appeared on behalf of APOA. Mr. Stoker stated that the list was emailed to Jessica Enriquez prior to the meeting. The Board confirmed receipt of the list. Mr. Stoker stated that approximately fifty cases filed by the APOA cited the old collective bargaining agreement and since the filing of those complaints the CBA has been revised and updated. Therefore, the parties have agreed to resolve those timeline cases and apply the new CBA.

Mr. Mowrer asked the Board to sign the two Order of Dismissals for LB 21-45 and LB 21-52 which were discussed during item VII. Chairman Baca moved to reinstate the two Orders. Mr. Montoya seconded. Voted and passed 3-0. Mr. Montoya moved to approve the Stipulated Order for LB 21-52. Mr. Perlman seconded. Voted and passed 3-0. Mr. Perlman moved to approve the Partial Stipulated Order for LB 21-45. Mr. Montoya seconded. Voted and passed 3-0.

X. ADJOURNMENT. Chairman Baca adjourned the meeting.



TED BACA, CHAIR
City Labor Management Relations Board



DATE

cc: Tim Keller, Mayor Ethan Watson, City Clerk