

# LABOR-MANAGEMENT RELATIONS BOARD

## *Monday, September 13, 2021*

### MEMBERS PRESENT:

*Chairman Ted Baca  
Juan Montoya  
Bruce Perlman*

### OTHERS PRESENT:

*Leigh Brunner      Ian Stoker  
Melissa Kountz      Merissa Reddy  
John D'Amato      Fred Mowrer  
Jessica Enriquez      Devon Moody*

## Minutes

### **I. CALL TO ORDER.**

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

### **II. REVIEW AND APPROVAL OF THE AGENDA FOR MONDAY, SEPTEMBER 13, 2021.**

Mr. Montoya moved to approve the agenda for September 13, 2021. Mr. Perlman seconded. Voted and passed 3-0.

### **III. REVIEW AND APPROVAL OF LABOR BOARD MINUTES FOR AUGUST 30, 2021.**

Mr. Perlman moved to approve the minutes for August 30, 2021. Mr. Montoya seconded. Voted and passed 3-0.

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

None.

### **V. RECEIPT OR PRESENTMENT OF STIPULATED DISMISSALS AND SETTLEMENTS.**

None.

### **VI. PRESENTMENT OF ORDERS.**

- **LB 20-09, Order on Unopposed Motion to Vacate Merits Hearing for September 13, 2021.** Chairman Baca moved to approve the Order. Mr. Montoya seconded. Voted and passed 3-0. This matter is rescheduled for October 18, 2021.
- **LB 21-02, Order to Continue Merits Hearing for September 13, 2021.** Chairman Baca moved to approve the Order. Roll call vote taken and passed 3-0. This matter is scheduled for a status conference on October 18, 2021.

### **VII. CONTINUED FROM AUGUST 16, 2021 - DISCUSSION OF BOARD APPOINTMENTS FOR THE NEXT TWO-YEAR TERM:**

**§ 3-2-16 (A) EACH EXCLUSIVE REPRESENTATIVE SHALL APPOINT ONE PERSON TO A COMMITTEE THAT WILL BE CHARGED WITH SELECTING ONE PERSON TO THE BOARD. THIS COMMITTEE WILL MEET ONCE EVERY TWO YEARS IN SEPTEMBER AND SELECT THE EMPLOYEES' MEMBER OF THE BOARD FOR THE FOLLOWING YEARS.** Rocky Gutierrez appeared on behalf of AFSCME and stated that they want to continue to elect Juan Montoya to remain as the labor appointee. He stated that he will discuss with other Union's and will report back to the Board. This item is continued for October 18, 2021.

**VIII. MOTIONS HEARING:**

- **LB 20-37, CITY'S MOTION TO DISMISS AND UNION'S RESPONSE TO CITY'S MOTION TO DISMISS.** Assistant City Attorney Justin Pennington appeared on behalf of the City and stated that the City withdraws the motion and request to schedule a status conference due to possible settlement. A status conference for this matter is scheduled for October 18, 2021.

**IX. MERITS HEARING:**

- **RESCHEDULED FROM AUGUST 16, 2021- LB 20-09, PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 624 ON BEHALF OF EARL GARCIA AGAINST THE CITY OF ALBUQUERQUE DEPARTMENT OF MUNICIPAL DEVELOPMENT FOR VIOLATIONS OF THE LMRO 3-2-9A6, CBA 0.1.1 AND 24.1.5 JUST CAUSE.** See item VI.
- **LB 21-02, PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022 ON BEHALF OF THE FALSE ALARM REDUCTION UNIT SUPERVISOR AGAINST THE CITY OF ALBUQUERQUE FOR RECLASSIFYING THE POSITION TO AN E-15 INSTEAD OF AN M-15 AND VIOLATING LMRO. 3-2-8 (A)(B), 3-2-9 (A1) (A6) INCLUDING BUT NOT LIMITED TO CBA 0.1 PREAMBLE AND 0.4 RECOGNITION.** See item VI.
- **LB 21-09, STEP III GRIEVANCE FILED BY AFSCME LOCAL 3022 ON BEHALF OF FRANCESCA GARCIA AGAINST THE CITY OF ALBUQUERQUE POLICE DEPARTMENT FOR TERMINATING MS. GARCIA WITHOUT JUST CAUSE, LMRO 3-2-9 (A5), (A6), INCLUDING BUT NOT LIMITED TO CBA 24. DISCIPLINARY ACTIONS.** Assistant City Attorney Melissa Kountz appeared on behalf of the City and stated that the parties have settled this matter and an Order will be submitted by the parties.

**X. ADJOURNMENT.**

Chairman Baca moved to adjourn the meeting.

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**TED BACA, CHAIR**  
**City Labor Management Relations Board**

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**DATE**

cc: Tim Keller, Mayor  
Ethan Watson, City Clerk