



CITY OF ALBUQUERQUE

CITY LABOR-MANAGEMENT RELATIONS BOARD

MONDAY, SEPTEMBER 25, 2023

MEMBERS PRESENT:

*Chairman Ted Baca
Juan Montoya
Bruce Perlman*

OTHERS PRESENT:

*Nichole Maher
Paul Broome
Jessica Serrano
Joel Villarreal
Leigh Brunner
Merissa Reddy (zoom)*

*Kate Furek
Augustine Romero
Carrie Cook
Sam Chavez
Victoria Gammill*

MINUTES

I. CALL TO ORDER.

Chairman Baca called the meeting to order at 9:03 a.m. He stated Mr. Perlman is absent today, but with two members present, there is quorum. If votes are unanimous, there is no issue. If the votes are not unanimous, the issue will be moved to another meeting for a re-vote.

II. REVIEW AND APPROVAL OF AGENDA FOR MONDAY, SEPTEMBER 25, 2023.

LB 23-14 Stipulated Order to Dismiss to be added to Miscellaneous/Status Conference hearings today. Motion by Mr. Montoya to approve agenda. Chairman Baca seconded. Voted and passed 2-0.

III. REVIEW AND APPROVAL OF MINUTES FOR SEPTEMBER 18, 2023.

Motion by Mr. Montoya to approve minutes. Chairman Baca seconded. Voted and passed 2-0.

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

None at this time.

V. MISCELLANEOUS/STATUS CONFERENCE:

- **LB 23-14 ORDER OF DISMISSAL FOR PROHIBITED PRACTICE COMPLAINT FILED BY APOA ON BEHALF OF OFFICER C. MARTINEZ AGAINST THE CITY OF ALBUQUERQUE POLICE DEPARTMENT, FOR FAILING TO ADHERE TO THE TERMS OF THE COLLECTIVE BARGAINING AGREEMENT SECTION 20.1.16, BY NOT COMPLYING WITH THE BOARD'S ORDER REGARDING TIMELY DISCIPLINE (LB 19-35/LB 20-34).**

Assistant Attorney Jessica Serrano appeared on behalf of the City. Attorney Fred Mowrer appeared on behalf of APOA. The City and the Union both approve this order. Approved and signed by Board.

- **LB 23-15 REVIEW AND ORDER ON ALBUQUERQUE POLICE OFFICERS ASSOCIATION (APOA) AMENDED PETITION FOR UNIT CLARIFICATION.**

Assistant Attorney Victoria Gammill appeared on behalf of the City. Mr. Paul Broome appeared on behalf of APOA.

The City asked if this should go back to a petition for accretion since there are employees hired now. The Union said the employees are on probation for 6 months, which delays things that need to be completed. The City stated it had no issue adding these members, they just want to make sure it is done correctly.

Mr. Montoya moved to approve the amended petition. Chairman Baca seconded. Voted and passed 2-0. The City noted the Union needs to enter an order within 30 days or request a hearing.

- **LB 23-16 SCREEN FOR FACIAL VALIDITY OF NEW PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022, COUNCIL 18, AFL-CIO PRESIDENT AUGUSTINE ROMERO ON BEHALF OF PAULA MINTLE, AGAINST THE CITY OF ALBUQUERQUE FAMILY & COMMUNITY SERVICES DEPARTMENT FOR VIOLATING LMRO § 3-2-10 (A)(5)(7)(9) BY FAILING TO BARGAIN WITH THE EXCLUSIVE REPRESENTATIVE REGARDING EMPLOYEE BONUSES.**

Assistant Attorney Carrie Cook appeared on behalf of the City. Joel Villarreal and Augustine Romero appeared on behalf of AFSCME Local 3022.

The City stated it does not have any objection to the facial validity of this complaint.

Chairman Baca and Mr. Montoya agreed that this PPC is facially valid.

- **LB 23-17 SCREEN FOR FACIAL VALIDITY OF NEW PROHIBITED PRACTICE COMPLAINT FILED BY ALBUQUERQUE POLICE OFFICERS' ASSOCIATION BY AND THROUGH ITS ATTORNEY OF RECORD FREDERICK MOWRER ON BEHALF OF OFFICER D. ELLIS AGAINST THE CITY OF ALBUQUERQUE POLICE DEPARTMENT FOR FAILING TO ADHERE TO THE TERMS OF THE COLLECTIVE BARGAINING AGREEMENT BY NOT COMPLYING WITH THE BOARD'S ORDER REGARDING TIMELY DISCIPLINE (19-35/20-34).**

Assistant Attorney Jessica Serrano appeared on behalf of the City. Attorney Fred Mowrer appeared on behalf of APOA.

No objections to facial validity by City. The motion for discovery was discussed and the City said they needed a bit of time to reply to what was recently filed by APOA. Chairman said the City would be provided time.

Mr. Montoya motioned to find facially valid. Chairman Baca seconded. Voted and passed 2-0.

- **LB 23-18 SCREEN FOR FACIAL VALIDITY OF NEW PROHIBITED PRACTICE COMPLAINT FILED BY APOA ON BEHALF OF OFFICER C. MARTINEZ AGAINST THE CITY OF ALBUQUERQUE POLICE DEPARTMENT, FOR FAILING TO ADHERE TO THE TERMS OF THE COLLECTIVE BARGAINING AGREEMENT SECTION 20.1.16, BY NOT COMPLYING WITH THE BOARD'S ORDER REGARDING TIMELY DISCIPLINE (LB 19-35/LB 20-34).**

Assistant Attorney Jessica Serrano appeared on behalf of the City. Attorney Fred Mowrer appeared on behalf of APOA.

Chairman Baca went over the complaint with the parties. The City said they did not have any issues with the facial validity of this claim.

Mr. Montoya motioned to find facially valid. Chairman Baca seconded. Voted and passed 2-0.

VI. ADJOURNMENT.

Chairman Baca moved to adjourn at 9:25 a.m. Mr. Montoya seconded. Voted and passed 2-0.



TED BACA, CHAIR

City Labor-Management Relations Board

10/16/23

DATE