



LABOR-MANAGEMENT RELATIONS BOARD

Monday, October 24th, 2022

MEMBERS PRESENT:

*Chairman Ted Baca
Juan Montoya
Bruce Perlman*

OTHERS PRESENT:

*Leigh Brunner
Carrie Cook
Merissa Reddy
Ian Stoker
Victoria Gammill
Mariela Ruiz-Angel
Joshua Brown
Milagro Padilla
Fred Mowrer
Jessica Enriquez*

*Paul Broom
Rocky Gutierrez
Sylviaanne Gallegos*

Minutes

PO Box 1293

I. CALL TO ORDER.

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

Albuquerque

II. REVIEW AND APPROVAL OF THE AGENDA FOR MONDAY, OCTOBER 24, 2022.

Chairman Baca moved to approve the agenda. Mr. Perlman seconded. Voted and passed 3-0.

NM 87103

III. REVIEW AND APPROVAL OF LABOR BOARD MINUTES FOR OCTOBER 3, 2022.

Chairman Baca moved to approve minutes. Mr. Perlman seconded. Voted and passed 3-0.

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

No comments.

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V. PRESENTMENT AND APPROVAL OF STIPULATED ORDERS:

- **LB 20-04 AND LB 21-35, ORDER GRANTING MOTION TO VACATE AND CONTINUE MERITS HEARING.** Approved and signed by Board. The merits hearing is rescheduled for November 14, 2022.
- **LB 20-21, STIPULATED ORDER DISMISSING PROHIBITED PRACTICE COMPLAINT.** Approved and signed by the Board
- **LB 20-22, ORDER TO DISMISS.** Approved and signed by the Board
- **LB 21-11, STIPULATED ORDER.** Approved and signed by the Board.
- **LB 21-21, STIPULATED ORDER DISMISSING PROHIBITED PRACTICE COMPLAINT.** Approved and signed by the Board.
- **LB 21-29, STIPULATED ORDER.** Approved and signed by the Board.
- **LB 21-46, STIPULATED ORDER DISMISSING PROHIBITED PRACTICE COMPLAINT.** Approved and signed by the Board.
- **LB 21-53, STIPULATED ORDER.** Approved and signed by the Board.
- **LB 21-55, STIPULATED ORDER.** Approved and signed by the Board.
- **LB 21-63, STIPULATED ORDER.** Approved and signed by the Board.
- **LB 21-64, STIPULATED ORDER.** Approved and signed by the Board.

- **LB 21-65, STIPULATED ORDER.** Approved and signed by the Board.
- **LB 21-66, STIPULATED ORDER.** Approved and signed by the Board.
- **LB 21-70, STIPULATED ORDER.** Approved and signed by the Board.
- **LB 21-72, STIPULATED ORDER DISMISSING PROHIBITED PRACTICE COMPLAINT.** Approved and signed by the Board.
- **LB 21-75, STIPULATED ORDER.** Approved and signed by the Board.
- **LB 22-10, STIPULATED ORDER.** Approved and signed by the Board.
- **LB 22-11, STIPULATED ORDER.** Approved and signed by the Board.
- **LB 22-17, STIPUALTED ORDER.** Approved and signed by the Board.
- **LB 22-29, STIPULATED ORDER.** Approved and signed by the Board.
- **LB 22-34, STIPULATED ORDER.** Approved and signed by the Board.
- **LB 22-37, STIPULATED ORDER TO DISMISS.** Approved and signed by the Board.

VI. STATUS CONFERENCE:

- **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.**
Rocky Gutierrez appeared on behalf of AFSCME and stated that a Notice of Withdrawal was submitted to Jessica Enriquez this morning and provided to the City. Chairman Baca stated that the parties should file an order and this matter is rescheduled for November 14, 2022 for a status conference or signing of the order.
- **LB 20-41, PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022 ON BEHALF OF ALBERTO ROBLES AGAINST THE CITY OF ALBUQUERQUE AVIATION DEPARTMENT FOR VIOLATIONS OF LMRO 3-2-9A6, INCLUDING BUT NOT LIMITED TO CBA 23. CONDITIONS OF EMPLOYEMENT AND 24. INVESTIGATIONS AND DISCIPLINE.**
Attorney James Montalbano appeared on behalf of AFSCME. Assistant City Attorney Victoria Gammill appeared on behalf of the City. Mr. Montalbano stated that the Union filed a Motion to Reconsider and the City has not filed a response. Chairman Baca scheduled this matter for motions hearing on November 14, 2022 and asked the City to file their response before then.
- **LB 22-36, COMMUNICATIONS WORKERS OF AMERICA'S PETITION FOR CERTIFICATION AND REPRESENTATION FOR BEHAVIORAL HEALTH RESPONDERS, COMMUNITY RESPONDERS, MOBILE CRISIS TEAM CLINICIAN AND STREET OUTREACH RESOURCE COORDINATORS IN THE CITY OF ALBUQUERQUE COMMUNITY SAFETY DEPARTMENT.**
Assistant City Attorney Ian Stoker appeared on behalf of the City. Milagro Padilla appeared on behalf of Communications Workers of America. Rocky Gutierrez appeared on behalf of AFSCME. Mr. Stoker stated that the parties are waiting for the Board to make a determination on the appropriateness of the bargaining unit and AFSCME's Petition to Intervene and once done so the parties will discuss the next steps for an election. Mr. Montoya stated that the Board had previously found that there was sufficient showing of interest and cards submitted from Communications Workers of American and AFSCME. Chairman Baca scheduled this matter for November 14, 2022 for an election status.

VII. MOTIONS HEARING:

- **LB 22-31, CITY'S MOTION FOR MORE DEFINITE STATEMENT AND APOA'S RESPONSE TO CITY'S MOTION FOR MORE DEFINITE STATEMENT.**
Attorney Fred Mowrer appeared on behalf of the City. Assistant City Attorney Carrie Cook appeared on behalf of the City. The parties stated that this matter has been resolved and the Motion is moot and the parties will submit an Order to the Board.

VIII. MERITS HEARING CONTINUED FROM OCTOBER 3, 2022:

- **LB 22-30, THE ALBUQUERQUE POLICE OFFICERS' ASSOCIATION'S PETITION FOR CERTIFICATION AND REPRESENTATION.**

Attorney Fred Mower appeared on behalf of APOA. Assistant City Attorney Ian Stoker appeared on behalf of the City. Mr. Mower called witness Paul Broom to testify.

Chairman Baca made a motion that the Board go into closed session pursuant to Section 10.15.1.H.3 of the Open Meetings Act which allows for the closing of meetings for deliberation by a public body in connection with an administrative adjudicatory proceeding. Mr. Perlman seconded. A roll call vote was taken and the motion passed 3-0.

The Board returned to open session. The meeting had been in closed session pursuant to Section 10.15.1.H.3 of the Open Meetings Act. Chairman Baca stated that the Board was in closed session to discuss LB 22-30 and no other matters were discussed.

Chairman Baca moved to deny APOA's Petition for Certification and Representation. Mr. Perlman seconded. Voted and passed unanimously 3-0.

IX. ADJOURNMENT.

Chairman Baca adjourned the meeting at 11:54am


~~NOV 24, 2022~~

TED BACA, CHAIR
City Labor Management Relations Board



DATE NOV 24, 2022

cc: Tim Keller, Mayor Ethan Watson, City Clerk