



**AGENDA**  
**LABOR MANAGEMENT RELATIONS BOARD**  
**Wednesday, February 7, 2018 at 8:30 AM**  
City Hall Large Conference Room  
425 N. Richardson, Roswell, NM 88201

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF AGENDA**

**APPROVAL OF MINUTES**

Approval of the minutes from the Labor Management Relations Board Meeting on March 23, 2017 and November 30, 2017.

**REGULAR ITEMS**

**Roswell Police Officers Association v. City of Roswell, LMRB No. 17-03**

1. Hearing on RPOA's Prohibited Practices complaint as set at the November 30, 2017 hearing.

**Closed Session**

2. Consider a closed session, pursuant to NMSA 1978, § 10-15-1(H)(3) to deliberate in connection with the adjudicatory proceedings presented as item 1 on the agenda.

**NON ACTION ITEMS**

**ADJOURN**

Notice of this meeting has been given to the public in compliance with Sections 10-15-1 through 10-15-4 NMSA 1978 and Resolution 17-49.

NOTICE OF POTENTIAL QUORUM – A quorum of the City Council may or may not attend, but there will not be debate by the City Council. The Council, acting as attendees to an informational presentation, will not be discussing public business and no action will be taken.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Human Resources at 575-624-6700 at least one week prior to the meeting or as soon as possible. Public documents including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 575-624-6700 if a summary or other type of accessible format is needed.

Printed and posted: Friday, February 2, 2018

**Regular Meeting of the Labor Management Relations Board  
Held in the Conference Room at City Hall  
March 23, 2017**

Notice of this meeting was given to the public in compliance with Sections 10-15-1 through 10-15-4, NMSA 1978 and Resolution 16-69.

**ROLL CALL**

The meeting convened at 10:07 a.m. with Chair Rich Olson presiding and Member Eugene De Los Santos present.

For the record: Member Pauline Ponce called at 9:54 a.m. and was in route.

Staff Present: Aaron Holloman, Sharon Coll and Stephanie Garay.

Others Present: Ron Chambers, Dina Holcomb who participated by telephone, Deputy Chief Jason Sweatfield and Tom Graham.

**APPROVAL OF AGENDA**

Member De Los Santos moved to approve the March 23, 2017 Labor Management Relations Board meeting agenda as presented. Chair Olson was the second. A voice vote was unanimous; the motion passed. Member Pauline Ponce was in route to the meeting.

**APPROVAL OF MINUTES**

Chair Olson moved to approve the minutes from the February 15, 2017 Labor Management Relations Board meeting as presented. Member De Los Santos was the second. A voice vote was unanimous and the motion passed. Member Pauline Ponce was in route to the meeting.

For the record: Member Pauline Ponce joined the meeting at 10:09.

**REGULAR ITEMS (ACTION ITEMS)**

*Roswell Professional Fire Fighters*

1. Consider any objections arising from the March 13, 2017 election that may be filed or raised and set a hearing pursuant to LMRB Rule 2.25. Chair Olson asked Sharon Coll, City Clerk, if any objections had been filed. Madam Clerk replied that no objections had been raised. No motion was required.

2. Consider, after reviewing election results and any pending objections, voting to cause a certificate of representation to be issued pursuant to LMRB Rule 2.24. Chair Olson asked, "Madam Clerk the result, specifically the total count of votes." Madam Clerk replied, "The count of the total votes were 59 votes; 57 for and 2 opposed." Chair Olson stated that his recollection is that under the rules there is a requirement for a certain percentage of the proposed bargaining unit to actually cast votes in order for the election to be valid – is that correct Madam Clerk? Madam Clerk replied, "That is correct" – it is 40% of eligible voters. Chair Olson asked, "Madam Clerk how many voters would that be"? Madam Clerk replied, "That would be 28." Chair Olson asked Madam Clerk, "there is no question that there was sufficient involvement in the election, it was a valid election and there is no question that the majority of the proposed bargaining unit voted in favor of selecting the Roswell Fire Fighters Association as their bargaining agent – is that correct"? Madam Clerk replied, "That is correct."

The Members of the Board reviewed the Certification of Exclusive Representative document. Chair Olson noted that his last name should be spelled with an "o" and that the Certification of Exclusive Representative appeared to be in order. Chair Olson asked Ms. Holcomb if she had prepared the Certification of Exclusive Representative. Ms. Holcomb replied, "Yes and that similar certifications are issued by the State Labor Board and other Relations Boards throughout the State. Chair Olson stated that his recollection was that Mr. Mowrer is the representative for the Association and asked Ms. Holcomb if Mr. Mowrer had the opportunity to review the Certification of Exclusive Representative? Ms. Holcomb replied, "That is correct, and he has not; Mr. Mower is out on medical leave right now." Chair Olson asked Ms. Holcomb if this was consistent with others that he has had occasion to review and approve in the past? Ms. Holcomb replied, "Yes."

Member Ponce moved to accept the Certification of the Exclusive Representation for the Roswell Fire Fighters. Member De Los Santos was the second. Member Ponce made a friendly amendment to add to the motion so it will read as follows: move to accept the Certification of the Exclusive Representation for the Roswell Professional Fire Fighters. The friendly amendment was accepted. A voice vote was unanimous and the motion passed.

For the record: All 3 (three) members of the Board signed the Certification of Exclusive Representative and handed to Sharon Coll, City Clerk.

#### Rule Making

3. Consider holding a rulemaking hearing relating to amend the LMRB Rules concerning to election, and selection of Chair. Chair Olson discussed with Mr. Holloman the procedure to hold a hearing to amend the LMRB Rules and the selection of a Chair. Mr. Holloman discussed the Board authorizing to advertise for a hearing 30 days prior to the hearing, hold the hearing, bring up the proposed changes and vote on a Chair. The Board discussed any upcoming business, and briefly discussed setting up a meeting individually with Mr. Holloman to go over any issues. Member Ponce moved to table the rulemaking item until a further date. Chair Olson was the second. A voice vote was unanimous and the motion passed.

#### **NON ACTION ITEMS**

##### Roswell Police Officers' Association

4. Discuss status update on Prohibited Practices complaint. Ms. Holcomb explained that there was a Prohibited Practice Charge filed by the Roswell Police Officers' Association against the City of Roswell. Ms. Holcomb said that they were able to reach a settlement agreement in the matter and that yesterday, (March 22, 2017 evening) the Roswell Police Officers' Association, through Mr. Mowrer's office, filed a motion to withdraw the Prohibited Practices charge along with an order allowing the withdrawal. Ms. Holcomb said that her approval is noted on the order and the concurrence is noted as well.

#### **ADJOURN**

Member Ponce moved to adjourn. Member De Los Santos was the second. A voice vote was unanimous and the motion passed. The meeting adjourned at 10:21 a.m.

**Regular Meeting of the Labor Management Relations Board  
Held in the Conference Room at City Hall  
November 30, 2017**

Notice of this meeting was given to the public in compliance with Sections 10-15-1 through 10-15-4, NMSA 1978 and Resolution 17-49.

**ROLL CALL**

The meeting convened at 10:10 a.m. with Chair Rich Olson presiding and members Pauline Ponce and Scott Douglass present.

Staff Present: Sharon Coll, Stephanie Garay and Aaron Holloman.

Others Present: Stephen Curtice, Fred Mowrer and Dina Holcomb who participated by telephone, Trevier Gonzalez and Donald O'Connor.

**APPROVAL OF AGENDA**

Ms. Ponce moved to approve the November 30, 2017 Labor Management Relations Board meeting agenda as presented. Mr. Douglass was the second. A voice vote was unanimous and the motion passed.

**REGULAR ITEMS (ACTION ITEMS)**

Roswell Police Officers Association v. City of Roswell, LMRB No. 17-03

1. Consider relief requested in RPOA's Motion for Default or, in the alternative, consider setting a hearing on RPOA's Motion for Default. Mr. Olson disclosed his role in connection with the City of Roswell. Mr. Mowrer had no concerns with Mr. Olson's disclosure. Mr. Mowrer discussed the Motion for Default stating that the City has replied to the Motion for Default and has been addressed. Mr. Mowrer discussed the complaint and asked that the City file an answer and that an evidentiary hearing be set. Mr. Holloman stated that the answer had already been filed and would provide a copy to Mr. Mowrer. The item died for lack of motion.
2. Consider setting a hearing on RPOA's Prohibited Practices Complaint. Pretrial exhibits, finding of facts and conclusions of law to be delivered five (5) days prior to the hearing. Ms. Ponce moved to hold a hearing on RPOA's Prohibited Practices Complaint on Wednesday, February 7, 2018 at 8:30 a.m. Mr. Douglass was the second. A voice vote was unanimous and the motion passed.

Utility Workers Union of America, AFL-CIO, Local 51 v. City of Roswell, LMRB No. 17-04

3. Consider setting a hearing on UWU's Prohibited Practices Complaint. Mr. Olson disclosed his role in connection with the City of Roswell. Mr. Curtice had no concerns with Mr. Olson's disclosure. Pretrial exhibits, finding of facts and conclusions of law to be delivered five (5) days prior to the hearing. Ms. Ponce moved to hold an evidentiary hearing on UWU's Prohibited Practices Complaint

on Tuesday, April 10, 2018 at 8:30 a.m. Mr. Douglass was the second. A voice vote was unanimous and the motion passed.

Closed Session

4. Consider a closes session, pursuant to NMSA 1978, §10-15-1(H)(3) to deliberate in connection with the adjudicatory proceedings presented as items 1 through 3 on the agenda. The item died for lack of motion.

**ADJOURN**

Mr. Douglass moved to adjourn. Ms. Ponce was the second. A voice vote was unanimous and the motion passed. The meeting adjourned at 10:33 a.m.

DRAFT