

Labor Management Board Meeting

April 26, 2021

10:00 a.m.

<https://us02web.zoom.us/j/8216258641pwd=WjJWWmt1YUhXUGJMMWNkWCtDdkFTQT09>

I. Call To Order

II. Acceptance Of Agenda

III. Action Items

A. Approval of March 10, 2021, minutes.

Documents:

[03_10_2021_LABOR.PDF](#)

IV. Discussion Items

A. Rules Review.

V. Adjournment

1 **REMOTE LABOR MANAGEMENT RELATIONS BOARD MEETING**
2 **SUMMARY & DIRECTION SHEET**

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4 The Labor Management Relations Board of Las Cruces held a meeting on Wednesday,
5 March 10, 2021 at 10:00 a.m. remotely via Zoom.

6
7 **THOSE PRESENT:** Jo Richards, Chair, HR Director, City of Las Cruces
8 Matt Holt, Attorney
9 Carol Flinchbaugh, Associate Professor of Management, NMSU
10 Patrick Nolan, Labor Representative
11 Christine Rivera, Las Cruces City Clerk

12
13 **Jo Richards, HR Director called the meeting to order.**

14
15 **Board Members introduced themselves.**

16
17 Jo Richards asked for a motion to accept the Agenda. Matt Holt, Attorney moved to
18 accept the Agenda. Carol Flinchbaugh, Associate Professor seconded the motion. The
19 Board said “aye”.

20
21 **III.I Rules**

22
23 Jo Richards said with that we’ll go to the Action Items. Part of the reason why we’re
24 here today is to review and accept the Rules for the Board. I hope you all had a chance
25 to review those. Can I get a motion to review these documents?

26
27 Matt Holt moved to review the documents; Carol Flinchbaugh seconded the motion.

28
29 Matt Holt asked have these rules been in place before with prior Boards?

30
31 Jo Richards said I believe these are our standard rules that have been used with other
32 municipalities and other organizations that have distributed by the State.

33
34 Christine Rivera said we used whatever the State Statutes were which was also
35 adopted into our Ordinance. So these are just to reflect the new changes that were
36 recently made which we’ll discuss following.

37
38 Jo Richards asked any other questions, discussion?

39
40 Matt Holt said move the adoption of these as our Rules; Carol Flinchbaugh, Associate
41 Professor of Management seconded the motion. The Board said “aye”.

42
43 Jo Richards said the rules have been approved. From here we’ll go to the Ordinance
44 changes.

45
46

1 IV.I Ordinance Changes

2
3 Jo Richards said there were several different changes proposed to the Ordinance from
4 the State. We provided a marked-up version and so hopefully you've had an opportunity
5 to see those. Any discussion around those questions?

6
7 Carol Flinchbaugh said I noticed that the whole Section on the Negotiations appears to
8 be deleted on this one and I don't know if I'm in the right spot. Is that the case? It's
9 Exhibit "A" J.

10
11 Jo Richards asked which Section is that?

12
13 Carol Flinchbaugh said it's in Section 15-14. Scope of Bargaining J.

14
15 Matt Holt said it's Page 25 of 63.

16
17 Carol Flinchbaugh said it appears that the entire Negotiation Process has been
18 removed and I didn't see any other changes to where that would have been added in a
19 different Section.

20
21 Jo Richards said I believe that was added there, not struck through.

22
23 Matt Holt said it does look like it's been struck through.

24
25 Christine Rivera said if you click on the packet that I sent them that whole Section was
26 struck out.

27
28 Matt Holt said so to be sure, what we're looking at is the Ordinance as it currently
29 exists?

30
31 Christine Rivera said yes, this is the Ordinance that was recently adopted by City
32 Council on February 16th. It was reviewed by the State, sent back to us and these are all
33 the corrections that they sent to us to make to it. It was approved by the State recently
34 so this is the most accurate.

35
36 Matt Holt asked do you know why Section J. was struck?

37
38 Carol Flinchbaugh asked and it was approved with the changes?

39
40 Jo Richards said yes. Essentially the City had to adopt this in order to retain our local
41 Labor Board.

42
43 Christine Rivera said the way it's written was the template that we were given from the
44 State, and so we had to write it exactly as they had it. So that's why that Section was
45 struck out.

46
47 Carol Flinchbaugh said it doesn't make sense because I. (1) right above there it says
48 "meetings for the discussion of bargaining strategy preliminary to collective bargaining
49

1 negotiations” unless they’re changing the language to just the collective bargaining
2 sessions.

3
4 Jo Richards said it appears that that language was already included there.

5
6 Carol Flinchbaugh said kinda seems like a big part of the Union Process.

7
8 Matt Holt said I take it this is really informational for us. We don’t have any say-so what
9 goes in the Ordinance because that’s why we have a City Council. Is that correct?

10
11 Jo Richards said in order to retain our local Labor Board the State said this is the
12 Ordinance as it reads and you have to approve it in order to retain that right. So that’s
13 where we stand right now.

14
15 Christine Rivera said we didn’t really have an option as to what wording we could put in
16 there. They just gave it to us and said adopt it.

17
18 Matt Holt said according to the introductory memo, these changes are ordered to
19 conform with House bill 364 which I’ve never read but be fun to take a look at.

20
21 Carol Flinchbaugh said and the above statements say they can still have negotiations, I
22 guess that maybe they’re just not putting parameters on the negotiations.

23
24 Christine Rivera said I’m wondering if it has to do with the fact that because it’s a closed
25 meeting and we don’t really disclose what’s done in the closed meeting, if that’s why
26 they took out that section.

27
28 Jo Richards said it could be. And there were a number of other items that were changed
29 too with regard to information that work withheld to release to the Union regarding
30 membership; there’s some different sections regarding positions and what positions are
31 represented and changes that you can or can’t make to those positions regardless of
32 market conditions. So there were several items that were changed and some history
33 that I understand is that the Unions had been working on this for quite some time before
34 it went to the Legislature and there wasn’t a whole lot of time for response from any
35 Public Agencies.

36
37 Carol Flinchbaugh said looks like they don’t provide a definition for negotiations
38 anywhere either, so maybe they were just trying to remove something that might have
39 muddied the process.

40
41 Jo Richards asked are there other Sections that you want to discuss?

42
43 Matt Holt said not for me.

44
45 Carol Flinchbaugh said I’m good.

46
47 Christine Rivera said if no one has any further questions or discussion we can adjourn.
48

1 Matt Holt moved to adjourn; Carol Flinchbaugh seconded the motion. Board said "aye".

2

3 The meeting adjourned at 10:18 a.m.

4

5 Matt Holt Moved to Adjourn and Carol Flinchbaugh Seconded the Motion. The Board
6 said "aye".

7

8 **Meeting Adjourned at 10:20 a.m.**