

**American Federation of State, County and Municipal Employees, AFL-CIO**

May / June 2013

**Mayor Berry has Nothing to Say to You...**  
*unless you're buying dinner.*

Policies of Mayor Richard J Berry have been a disaster for the City of Albuquerque and a majority of its people. Albuquerque ranks dead last for growth in employment when ranked against 100 other large U.S. metro areas, according to a UNLV, Brookings Mountain Monitor study 'Tracking Economic Recession and Recovery in the Intermountain West's Metropolitan Areas'. National and regional economic recoveries have left Albuquerque completely behind.

The Duke City places 91st out of 100 when other economic indicators of unemployment, output (GDP), and house prices are added, a drop of 5 positions since a previous 3rd quarter 2012 study. Albuquerque has lost more jobs proportionally than any other city in the country.

Not every sector of Albuquerque's

economy has suffered though. Berry's wealthy donor base, who recently forked out \$1,000 a plate during a reelection fundraiser, have managed to profit while so many have suffered.

Prior to Berry's highly promoted hiring spree, intending to fill 160 vacant city positions in FY14, he'd been busy eliminating vacant city-jobs. This freed up budget money allowed his administration to contract out more and more services once performed by public employees at a handsome profit. The for-profit outsourced jobs come with low pay, no benefits, and fat checks for Team Berry's reelection coffers.

As for the 160 city positions Berry has budgeted to be hired, they're disproportionately management. As Casey Padilla, President Local 624 puts it, "When a city service isn't

functioning, because of staff and resource shortages, their answer is to hire a new manager." City records reveal that in many divisions, there are as many bosses as there are frontline employees.



A key element of Berry's "Plan" has been to attack city employees' collective bargaining rights. Contrary to rumors circulating, Albuquerque City employees continue to have their rights protected by union contracts. Following a NM Court of Appeals Opinion, the city sent out letters to arbitrators on pending

disciplinary matters telling them that because the injunction was dissolved the city was no longer obligated to arbitrate because the contract had expired. These letters established a very fundamental legal mistake.

The actions taken by the City of Albuquerque over the last few days to curb workers' rights without legal authority is the essence of a case currently pending before the New Mexico State Supreme Court: No public employer may unilaterally impose terms and conditions on employees who have collective bargaining rights.

AFSCME has responded rapidly through legal and less formal channels describing to city officials why the Public Employees Bargaining Act's evergreen clause continues to apply and precludes the City from unilaterally implementing

terms and conditions of employment. Mayor Berry refuses to meet with the union to explain his motivations. When Padilla was able to catch up with the Mayor in a city hall elevator, he did in fact have something to say to his City employees, "I don't want to meet with you, I don't have to talk to you." Perhaps if city employees were willing to spend a month's salary for a Berry salad at one of his fundraisers, they could bend his ear a bit.

This style of leadership may play favorably for Berry in national fund raising circles, where strategies are designed to build wealth for the wealthy and crush aspirations of the middle class, but it is no way to run New Mexico's Duke City.  
Source: <http://www.brookings.edu/research/interactives/metromonitor#M10740-recovery-overall-mv>

**Contract Bargaining:**  
*It's Not Business,*  
*It's Politics*

State of New Mexico

Negotiations with the State of New Mexico and Council 18 on a successor agreement continue to drag. The stretched-out negotiations are directly attributable to the state's insistence on eliminating fundamental worker rights' and ignoring years' of fine-tuned language which benefit the state and provide a fair working environment.

"This has been one of the more objectionable negotiations I've been involved in for a very long time," said AFSCME's legal counsel and chief negotiator, Shane Youtz. "Gov. Martinez' tax-payer funded anti-union consultant ignores well-established labor laws and SPO seems to operate under a mandate to cut costs and services be damned."

The parties are still far apart on the main contract and have not yet begun negotiations on the (agency) appendices.

The CWA and FOP negotiations with the State are also contentious with the State taking the same indefensible positions.

The Supreme Court of the State of New Mexico is scheduled to hear oral argument in the State employee pay plan litigation on May 15, at 9:00am. AFSCME members are encouraged to attend the one-hour hearing to listen to the State argue against employees' contractual pay increase and for the Justices to see the faces of the affected workers.

City of Albuquerque

Negotiations with the City of Albuquerque have been equally non-productive. Blue Collar Local 624 and White Collar Local 2962 remain at impasse on their 2008-2010 contracts. As reported earlier, the City attempted to impose its last, best, final offer. However, AFSCME

Council 18 won an injunction in District Court which successfully blocked unilateral implementation.

In the course of litigation, the District Court also ordered the city to honor the expired collective bargaining agreements, pursuant to Public Employee Bargaining Act's (PEBA) evergreen clause. The Labor-Management Relations Ordinance (LMRO) has voluntary binding arbitration, so the city has refused to resolve the matter. The state Supreme Court will hear the issue of whether the Albuquerque LMRO is proper as it is in conflict with PEBA relating to impasse arbitration.

The City Council has appropriated a one percent increase for FY12 and FY13. The locals and the City reached contract impasse for the FY12 raise and continue to await resolution on the impasse arbitration. AFSCME has requested to negotiate over the FY13 raises as well.

Family Child Care Providers

NM Child Care Providers Together/ Local 1457, which represents the 2,600 registered and licensed family child care providers, began negotiations in April with the Children, Youth and Families Department on a successor contract. Rafaella Torres, an Albuquerque provider on the bargaining team, said,

"Our union, CCPT, is fighting to make sure our rights are protected. We are hopeful that CYFD understands that listening to providers will make for a better child care program." However, during the third session of negotiations, the state displayed a shameful act of arrogance (and committed a prohibited practice) when their tax payer funded chief negotiator, Dina Holcolomb, found

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**Legislative Impact on AFSCME Members**



Council 18 members at the Roundhouse in Santa Fe on Feb 6 prior to lobbying their State Senate and House Members.

**SENATE BILL 27, SAVING PERA, IS NOW LAW**

Governor Martinez signed Senate Bill 27 (sponsor Sen. George Munoz, D-Gallup). The bill ensures long-term solvency of PERA. Together with Senate Bill 115 (sponsor Sen. Stuart Ingle, R-Portales) it means current workers will get to retire when they were promised with the same base promised benefits. Retirees will keep existing benefits and continue to receive a Cost of Living Adjustment commensurate with actual inflation. Future hires will continue to have some of the best retirement formulas in America. But no longer will public employees contend with a \$6.2 billion unfunded liability threatening the entire future of retirement plans.

**1% RAISE STAYS IN BUDGET**

AFSCME worked hard to get even a 1% raise this year, and though Governor Martinez initially proposed a pay freeze for public employees this year, she left the raise in the signed budget after winning concessions through a controversial tax package. With a hike in health insurance premiums just announced, the raise becomes more important than ever, holding the line on take home pay, ensuring 2013 will not see a pay cut

for state employees.

**TAX PACKAGE SIGNED**

Governor Martinez signed a controversial tax package (HB641). While it had some good things, like improved tax credits for the film and TV industry and introduced a small, watered-down, 'combined reporting' to the state's tax code, it is essentially a \$250 million giveaway to large corporations.

The controversial tax package could

yield many new jobs but if history is any guide, reducing the top marginal rate on corporations will not lead to an influx of tens of thousands of new jobs.

With a \$250 million price tag, even if it generates 5,000 new good jobs, those jobs will come at a major expense to taxpayers and the state/cities/counties of \$50,000 per job--and 5,000 new good jobs is a very, very optimistic estimate.

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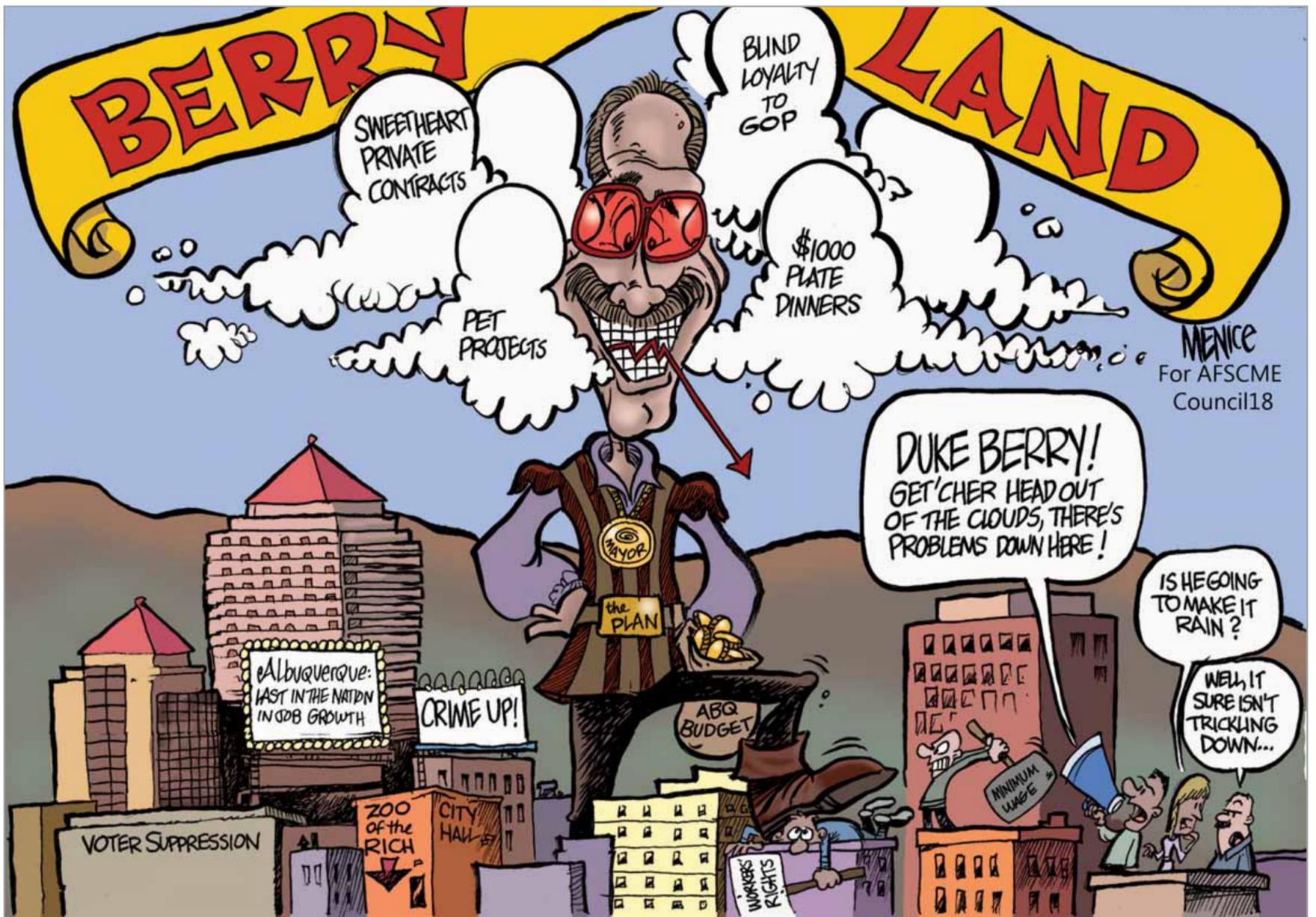
**Heavy Lifting for CYFD Investigators**

AFSCME Local Union leaders representing Children Youth and Families Department (CYFD) delivered over 100 petition signatures to the January State Personnel Board meeting. The petition called upon State Personnel to address wage disparity, retention, and recruitment issues creating serious staffing, morale, and safety concerns across state government.

CYFD Child Protective Service workers (CPS), staff at JPPO, and

JPTC mentor confined and at-risk youth, find placements, and conduct home checks for high-needs children. "Staff at these sites are 100% dedicated and committed to assisting NM youth feel safe and valued. We mentor them in life skills and provide resources and tools necessary to steer themselves towards productive futures," says Corina Barron-Sifuentes, steward and past president of Local 3320.

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## Albuquerque Transit Security Go Public with Vote of No Confidence



Local 1888 Transit Security Officers standing up for their rights

Following years of unaddressed grievances and safety concerns, City of Albuquerque Transit Officers held a press conference March 20 and addressed Albuquerque City Council detailing issues leading to a unanimous vote of no confidence (VNC) against Superintendent Clarence E Decker and Lt. John F. Baker.

Transit Officers, a component of Albuquerque's public safety system who do not carry firearms, are called upon to engage and intervene in violent confrontations on City buses. "The work is very dangerous and stressful. We're part of the safety net for Albuquerque citizens," said AFSCME Local 1888 President and Transit Officer Judy Garcia.

"Management's flippant disregard for officer safety and refusal to run our division professionally is extremely frustrating."

AFSCME Local 1888 Transit Officers had reached out to management and requested improvements in operations one last time before going public with the vote of no confidence.

"We asked the City Council to form an investigatory committee with subpoena power, review recorded video testimony from previous investigations and all financials of the transit security division," said AFSCME Staff Representative Rocky Gutierrez. "The City needs to perform a new round of interviews. We're confident the evidence will compel the City to replace current management and develop much needed policies."

Management was given copies

of the VNC, but waited over six months before responding in writing with follow-up questions failing to address more serious allegations.

"Sadly, Lt. Baker and Superintendent Decker chose to double down following the employees' motion," said Garcia. "We're contending with systematic retaliation against career employees for speaking out, they've deliberately made matters worse in a number of ways. Over half of the Officers were placed on malicious 'performance improvement plans' following the vote of no confidence. This has forced the union's hand. We're in battle to protect Officers' basic rights and dignity."

The VNC calls out Lt. Baker and Superintendent Decker for harassment, abuse of power, demeaning conduct and unprofessional behavior towards their employees, disregard for public safety, and punitive violations of the

collective bargaining agreement. Officers allege misappropriation of public funds at the hands of Baker and Decker. The motion goes further and demands Officers transfer out of the division should issues continue unaddressed.

"Taking a step of this magnitude is not something a work group takes lightly," adds Brother Gutierrez. "The level to which management has failed their employees and the public is so great that we have real concern officers could be seriously injured or worse."

Transit Officers have followed up with City Councilors following the action and will be meeting with them soon to discuss what steps should be taken next.



## Heavy Lifting for CYFD

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Following the January meeting, SPO Director Gene Moser and Labor Relations specialist Sandy Martinez spoke amicably with AFSCME leaders and set a date to meet over the issues, brain-storm solutions, and share information. Just 48 hours before the meeting, SPO contacted AFSCME Council 18 to say the meeting was "OFF" and would not take place under any circumstances.

So, for the second time in three months, AFSCME members appeared before the State Personnel Board meeting in February and asked for wage disparity and vacancy issues to be addressed. Moser laid the blame at the feet of AFSCME, claiming we're not seriously bargaining or willing to move on key issues at the negotiating table.

"SPO has never put the pay classification topic on the table during bargaining and to say otherwise, is untruthful," said AFSCME Council 18 Executive Director and negotiator Connie Derr.

"In fact, we learn more of SPO's intentions from their presentations to the LFC and the State Personnel Board than at the bargaining table." AFSCME members offered public comment and called out Moser for an obstructionist stance and refusal to meet with members. "If our only opportunities to address these serious issues takes place during a two-minute public comment window, during a hallway meeting, or across the table from the state's hired consultants, tasked with a mission to dismantle the workers' union entirely, then we are doomed to perpetuate this management versus workers mentality," said Miles Conway, AFSCME 18 Communications.

In a follow-up letter to State Legislators, Lisa Hannah, CYFD senior investigator and VP Local 2029, warned of extremely dangerous caseload levels. "CYFD investigators are receiving double the caseloads determined safe by federal standards. Federal standards say 12 investigations per full work

month, to be decreased when accounting for leave times and holidays. We are getting between 20-30 or more per month, and sometimes we will see as many as 3 investigations a day. Studies repeatedly have shown that when states have adopted the standards and gotten caseloads down, there have been less repeat reports, drops in child abuse, dramatic increases in retention of staff, higher morale and positive results preventing child abuse and neglect."

The Board voted to extend a practice of utilizing alternative pay bands to recruit and retain employees, but incentives aren't reaching long-term state employees. Facing high vacancies, staff find themselves working 16 hour days to make sure the services are provided. "Dedicated staff are working overtime and taking time away from their own families to make sure the work is getting done," reports Barron-Sifuentes.

In a final elegant stroke following AFSCME members' statements



In memory of AFSCME Council 18 Union Brothers Mike Baca, Local 1888 (left), and Glen "Bo" Martin, Local 624 who left us too early this spring. Our thoughts are with their families.

and board discussion of pay parity, constrained budgets, and austere SPO rules, the board voted to create some new classifications with handsome raises for state personnel office employees.

"Something must be done, and done immediately. New Mexico's children are suffering because we can't do our jobs properly," concluded Hannah. (additional research can be found at [www.childwelfare.gov](http://www.childwelfare.gov))

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[www.facebook.com/AFSCME18](http://www.facebook.com/AFSCME18)

## Legislative Impact AFSCME Members

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**TAX TRANSPARENCY BILL VETOED**  
Senate Bill 7 (sponsored by Sen. Tim Keller, D-Albuquerque) would have allowed for much greater understanding of the scope and value of the myriad tax breaks in law. That kind of information is critical to helping citizens and legislators understand which tax breaks work and which don't. Unfortunately, Governor Martinez vetoed this tax transparency bill for the second time, despite a unanimous bipartisan vote for the bill in the Senate and a 58-10 bipartisan vote in the House.

## AFSCME Builds Labor Unity



AFSCME Int'l President Lee Saunders joining AFL-CIO President Richard Trumka and workers from across the country at a rally on Capitol Hill February 13, 2013.

"It doesn't matter what colors you wear today, the most important piece is that we stand in solidarity, we've come here for families across the country, from NYC to California to stand up for public services. We're here because somebody has got to stand up for what is right, stand up and say, 'we've had all we can take.' The time is now, the place is here, and the somebody is us." Said AFSCME Intl. President Lee Saunders at a rally on Capitol Hill on Feb,13 2013.

The sequester is beginning to strip away millions in funding for vital New Mexico

public services and jobs, Saunders remarked, "This is a power play, pure and simple. The top 1% and 2% want more power, they want more wealth at the expense of all of us. Today we are taking a stand, drawing a line in the sand and saying HELL NO!"

Saunders questions the "selective sight" of elected politicians who have difficulty focusing on working American's everyday struggles. "They have 20/20 vision when they spot the wealthy donor or corporate CEO whose priority is building wealth for themselves or securing another tax loophole that we pay for" said Saunders, "They can

see the wealthiest 2% of Americans but somehow everyone else is invisible to them.

*They can see the needle in the hay stack, but not the hay.*

"We're the ones who have made this nation great," Saunders said. "We're the ones whose work touches all communities. We're the true wealth-builders across this land!"

## Lobby Day Santa Fe



More than 70 AFSCME activists took to the Capitol Wednesday, Feb 6, for a rally and press conference in the Roundhouse. Activists spoke with legislators about key issues public employees face.

On Dec 6, 2012 Governor Martinez's State Personnel Director (SPO) Gene Moser appeared before the Legislative Finance Committee and reported at length on the difficulty of retaining good public employees. NM wages have failed to keep pace, having fallen "as much as 50% behind market average in a number of critical benchmark classifications," according to Report of Legislative Finance Committee to 51st Legislature. SPO'S 2012 compensation report indicates that, "base pay lags the average regional market by 4.25%."

The report details how state employee ranks have shrunk for years. In 2006, the State of New Mexico had 16.9% more employees than today. There are fewer classified state employees every year, and less today than under the Johnson administration. Still, the work loads of public employees have steadily increased.

According to Moser, New Mexico loses skilled public employees to outside public and private sector employers regularly because our compensation levels are severely outdated. Yet, SPO offers no tangible remedies, nor provides any constructive discourse at the bargaining table.

Hundreds of postcards were delivered to legislators requesting they act to end four years of pay cuts, save New Mexico's public retirement plans, fight for safe staffing levels, and address plummeting morale.

## Jason Davis: Union-Made Member in the Spotlight



The Davis family sat down to speak on work, family, and how union ties them together. Read more about Jason Davis's struggle to protect his union rights at RLD ("RLD Doubles Down on Bad Behavior")

Jason Davis, AFSCME Steward and Electrical Inspector for New Mexico's Regulation and Licensing Department is a union man of over twenty years, building on three generations of union roots in his family.

Brother Davis invited us to his home in Moriarty, NM. Less than an hour east of Albuquerque it feels worlds away. Families in Moriarty (pop. 1910) still run livestock, plant crops on their land, wave to passers by, and expect a wave in return.

Davis begins work before the sun rises and often returns home long after it has set,

driving up to 6,000 miles a month inspecting electrical projects and ensuring that New Mexico citizens and industry are operating safely. He offers solutions and assistance to businesses and private citizens navigating New Mexico's robust building codes. "In some neighboring states, like Texas, they don't have high level regulations in place. We encounter less safety and construction quality when those out of state contractors operate in New Mexico," says Davis.

When Jason does finally return home, it's not time for hobbies or putting up his feet to watch the game on TV. Helping with daughter Michaela's homework, seeing to household chores, and primarily attending to son Jeremy's needs come first.

Jason met wife Mary in '89, when they both worked at Albertson's Grocery. Mary was a 10-year UFCW Local 1564 member before leaving to care for their children full time. Daughter Michaela, a high school sophomore, is a fighter like her dad. She plays guitar, sings, and participates in high school drama productions all while staying at the top of her class. Mom Mary confirms, "Michaela is live-in IT support for the family."

The Davises have an adult son, Jeremy, with cerebral palsy, a challenging developmental disability confining Jeremy to a wheel chair without typical abilities to communicate most take for granted. Still, Jeremy's clear

eyes and visible happiness are a testament to the hours of hard work and dedication from Mom, Dad, and Sister to ensure a good quality of life for Jeremy.

While nonverbal, "Jeremy is vocal, he communicates as best he can," says Davis. When he doesn't feel well, Jeremy and his family must use a series of yes and no questions to identify what is bothering him, with Jeremy looking up for 'yes' and down for 'no'.

"On top of the physical challenges," says Davis, "you also have political ones. Our biggest challenge is the Medicaid / Developmental Disability (DD) Waiver system itself. Since 2007 DD waiver services have been cut year after year. In the last couple years, while legislators have tried to increase budgetary funding for the DD Waiver System, management has wasted money trying to 'overhaul' and 'fix' the system.

"Families' issues like ours don't receive the greatest media attention. It's difficult to have our voices heard in state and federal politics," concludes Davis.

Hear more from Jason Davis in a recorded interview on AFSCME 18 Radio at Soundcloud.com

## Contract Bargaining Updates

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the presence of the 10-year old grandson of a 5-star provider so intimidating that she refused to bargain while the young boy was in the room. The irony of the state's position was not lost on the providers. The providers refused to toss the young boy, Chris Rosas, for whom providers are charged for his care and thousands of other young New Mexicans, out of the room.

### Hidalgo County

Hidalgo County public safety employees, who voted unanimously on March 21 to join Council 18, are set to start bargaining on a first contract. Nearly 30 County Sheriff's deputies, 911 dispatchers, detention officers, and corporal detention officers will now wrestle with the county on serious issues regarding health and safety, wages, and management accountability. Of special concern is the recent loss of federal dollars which enabled the County to house undocumented immigrants and rumors that the county jail could be privatized. "Now that we've got a union going, we're going to place all the issues on the table. Employees need to be heard. I'm committed to improving things for Hidalgo County," said Corporal Detention Officer Amanda Wolf.

### Children, Youth and Families

Numerous Council 18 locals are in contract negotiations across NM, including Children, Youth, and Families Juvenile Justice Services' Teachers, Valencia County Blue Collar Employees Local 1382 on a first contract; and the cities of Las Vegas (Local 2851), Rio Rancho (Local 3277), Alamogordo (Local 3818); and the counties of Grant (Locals 2516, 2240), Dona Ana (Local 1529), Santa Fe (Local 1782) and Bernalillo (Locals 2260, 1461).

## RLD Doubles Down on Bad Behavior

Thomas Griego, Hearing Officer for the Public Employee Labor Relations Board (PELRB), writing in his recommended decision (PPC case 124-12 AFSCME v. RLD) seems to have lost patience with the Regulations and Licensing Department's "unreasonable persistence in punishing union officials" trying to do their job.

The 19 page recommended decision orders RLD to recognize AFSCME Union Steward and RLD Field Inspector, Jason Davis. The decision follows a long pattern of anti-worker conduct and bullying behavior at the department.

Early in 2010, Davis became a target for management retaliation at the troubled Regulation and Licensing Department. The media spotlight was recently focused on RLD when a former HR director blew the whistle on department superintendent J Dee Dennis for inappropriately targeting dozens of career employees for termination. In Davis' case, a mid-level manager began targeting him for "doing his job," which involved holding industries accountable to New Mexico's code enforcement standards, and daring to speak up for his and his coworkers' workplace rights.

Unwilling to address the problems face to face, management had to be dragged before the Public Employee Labor Relations Board by AFSCME, twice, to protect Davis' rights. PELRB-published opinions characterize RLD manager behavior as "inherently destructive conduct."

Following two separate PELRB decisions vindicating Brother Davis and implicating RLD management, AFSCME has continued negotiations to make Davis whole and reverse wrongful discipline. "AFSCME filed three separate charges to correct specific supervisor behavior at RLD," AFSCME Staff

Representative Rob Trombley said, "RLD has deliberately misinterpreted previous PELRB decisions, allowing supervisors to continue what we classify as harmful, destructive management style. Some disciplinary actions RLD hands out go against fundamental constitutional rights of freedom we're guaranteed in this country."

At a time when NM state government is reeling from high vacancies, 4 years of pay cuts, low morale, and an uptick in instances of harassment and bullying, RLD condoning and rewarding its supervisors' unprofessional behavior

is especially disturbing. AFSCME stewards receive more calls from members reporting harassment and bullying than any other complaint. The behavior from management and regularity with which AFSCME is forced to respond with grievances has become par for the course in the halls of state government.

In addition to pushing for new laws that would compel employers to develop policy addressing bullying in the workplace, AFSCME stewards continue to find creative ways to employ the contract to defend employees targeted by bully managers.

# AFSCME'S Upcoming Events For 2013

- June 1 .....PEOPLE Conference (Abq)
- June 21 .....Pre-Convention Workshop (Abq)
- June 22-23 .....Council 18 Convention (Abq)
- July 12-13.....ELITE Level I, Part I (Abq)
- July 27 .....ELITE Level I, Part II (Silver City)
- August 10 .....ELITE Level I, Part II (Abq)
- August 16-17...ELITE Level I, Part I (Las Cruces)
- August 16-17...ELITE Level I, Part I (Santa Fe)
- August 31 .....ELITE Level I, Part II (Las Vegas)
- Sept 20-22 ..... Women's Conference (Denver, CO)
- Oct 18-20 .....Public Safety Conference (Columbus, OH)
- Oct 26.....Sec-Treas Training (Las Cruces)
- Nov 3..... Women's Cancer Walk (Abq)

**For an updated news and events, please visit the website, [www.afscme18.org](http://www.afscme18.org) or call AFSCME Council 18 at 1-800-423-0770 or (505) 266-2505**



*"Subject Matter Expert" Ten year old Chris Rosas' presence at the Child Care Providers contract negotiations session was unsettling enough for state lead negotiators to call the session off in April.*

**Read more:**  
"Contract Bargaining, Family Child Care Providers" pg 1

## AFSCME Council 18 2013 PEOPLE Convention

**SATURDAY JUNE 1, 2013**

@ the Sheraton Uptown  
2600 Louisiana St. NE  
Albuquerque, NM 87110



Registration begins at 10 a.m., Convention meets from noon to 6 p.m. Reception to follow.

**Special Guest:** AFSCME International Secretary - Treasurer Laura Reyes  
**Purpose:** Political Trainings, Statewide PEOPLE Committee Elections, Propose Amendments to PEOPLE By-Laws



- Single Occupancy rooms are available Saturday night to PEOPLE members who live outside the Albuquerque metro area.
- **Must be a PEOPLE member to attend.** You can join the day of the convention.

**To register:** Please contact Josh Anderson at 505-266-2505x127 or by email at [joshandersonnm@yahoo.com](mailto:joshandersonnm@yahoo.com) by May 24<sup>th</sup>.  
Registration also available online at [www.afscme18.org](http://www.afscme18.org).

## ABQ City Charter Amendment

Following a special vote-by-mail election, a decisive victory was achieved for democracy in Albuquerque in March.

The amendment that was voted on will require that candidates for Mayor and City Council must get at least 50% of the votes to be elected. Once the special election votes were tallied on March 11th, it became clear that Albuquerque voters demand that the majority rules in city elections. The measure passed with more than 55% support.

In the past, candidates could get into office even if 60% of the voters were against them. Now, they must receive a true majority of the votes in order to be elected.

And if no candidate receives more than 50% of the votes, a runoff election between the top two candidates will take place.

## NMCD Lts. WIN Union Recognition

New Mexico Corrections Lieutenants have a union. Council 18 welcomes New Mexico Corrections Department Lieutenants to the AFSCME family. Lieutenants join over 1,500 AFSCME Public Safety Union Members in New Mexico, bargaining collectively over wages, benefits, and terms and conditions of employment.

On January 23, the Public Employee Labor Relations Board, adopted hearing officer Thomas Griego's findings of fact and conclusions of law refuting New Mexico Corrections Department's argument that Lieutenants were supervisors and ineligible for coverage under the state's public employee bargaining act.

Hearing of the news, AFSCME leadership are reporting a flurry of activity of Lieutenants signing union cards around the state. Governor Martinez however, has appealed the PELRB Order in District Court.

## ACT's Spirit Helps Many



**AFSCME Council 18 Exec. Vice President Patrick Gutierrez joins a Toss No Mas activist in cleaning up a section of desert in Chaparral, NM**

On Saturday, April 27, a dozen AFSCME Community Team (ACT) members headed out in the early morning to join other community organizations in cleaning the Delores Wright Community Park in Chaparral, in southern New Mexico, and surrounding open deserts and roadways. After hours of work in the heat and wind, the group, totaling more than 40, had filled an industrial size dumpster

Representative Nate Cote, HD-53, declared, "AFSCME's efforts, combined with activists from

church and community organizations made such a difference in this small community." Casey Padilla, president of Albuquerque Blue Collar Local 624 and chairman of ACT, said, "We were very happy to help. AFSCME members work in the public service for a reason: we care about our communities and our neighbors."

Brother Padilla was joined in Chaparral by several AFSCME leaders, including Deb Rainaldi, president of Albuquerque White Collar Local 2962, Patrick Gutierrez, president of State Employees Local 1380, in northeast New Mexico, Nellie Rosales, and Linda Landez-Garcia, NMSU Local 2393 members, Family Child Care Providers Local 1457 members Martha Mireles and daughter Magda, Salvador Rosas and his grandson, Chris, and Maria L. Salas, as well as Council 18 Executive Director Connie Derr, council staff Rocky Gutierrez and Josh Anderson,

Meanwhile, ACT members participated in the American Cancer Society "Making Strides" walk on April 28 in Albuquerque. The Making Strides walk is a celebration of survivorship - an occasion to express hope and our shared goal to end a disease that threatens the lives of so many people. Council 18 Accountant Paula Jackson, a cancer survivor who participated in the walk, said, "It takes all of us to make a difference and AFSCME is helping to make that difference."

## Really?!?

Officer given 5 day suspension for allowing an inmate to 'bop' while being searched (Valencia County Detention Center)

180 day action plan for employee typing too loud on the keyboard (Human Services Department) Hard work should be seen and not heard.

Five day suspension for employee tapping his fingers on a table while awaiting a letter of reprimand in the supervisor's office (RLD)

Republican Party officials attack working women as prostitutes and 'radical bitches' in Facebook rant during Bernalillo County. Commission meeting on raising minimum wage to \$8.50/hr. This issue brings out the passion...and the Cro-Magnon in people.

APD Lieutenant manager kicks temporary / probationary workers out of meeting, saying, "this is about to get bloody," then threatens employees on FMLA.

## 2013 Blue Breakfast Modern Tactics and Cooperation in Public Safety



**AFSCME Public Safety gather and take action at the 2013 Blue Breakfast**

On January 31, 2013 AFSCME Public Safety members gathered from across New Mexico at Santa Fe's Inn of the Governors for the Fourth Annual Public Safety Blue Breakfast.

Keynote speaker, Chief Counsel and Special Agent Steve Marshall of the Federal Bureau of Investigations, delivered a striking presentation on increasing opportunities for intergovernmental agency cooperation and how the Bureau is training to respond to modern threats to civil society. Agent Marshall's comments couldn't have been more timely. As local public safety agencies increasingly confront extremism across the nation, established relationships between the Federal, State, and Local agencies are vital for quick response.

AFSCME Chief Counsel Shane Youtz updated members on our legal battles and addressed the challenges we face as administrations across the state

diminish workers' rights and go to court to defend anti-worker policies.

Sources inside the State Public Defenders Office confirm that the frequency with which this Governor takes issues to court is unprecedented in modern New Mexico history.

After hearing from Council 18 leaders, members took to the Roundhouse to speak with their elected representatives and senators and ask them to support public safety, and ALL public employees, by protecting our pension system, giving public employees a RAISE, and enacting legislation to address high vacancies and low morale in state government.

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