



March 26, 2018

Local 1536 Member Vindicated in Case Involving Retaliation for Whistleblowing

Arbitrator William Hartsfield has ruled in favor of Local 1536, Bernalillo County Youth Services Center (BCYSC), and restored Matt Lucero to his job as a 17-year veteran Youth Program Officer. Lucero was terminated in July 2017 after he issued an April 2017 official complaint concerning unprofessional conduct of a supervisor at the BCYSC.

Instead of properly investigating the complaint filed by Lucero, the County, without informing the Grievant or Union, flipped the investigation and instead targeted Lucero. It was a classic example of retaliation for whistleblowing.



"Upper management holds the rank and file to a higher standard of conduct and professionalism than they hold themselves," said Local 1536 President Ben Chavez. "In this case, management indulged in a gross misuse of tax payer dollars to defend one of their own who was behaving badly."

Local 1536 Members (pictured above) have been attending Bernalillo County Commission meetings. They were joined by Local 1661 and Local 1461 members while attending this February 13, 2018 meeting.

"Our Local offered no-cost solutions to this conflict right from the beginning," said Chavez. "We approached management countless times to address unprofessional conduct by their team. This facility belongs to the community, and our union respects that fact. Jeopardizing our member's livelihood and wasting all this time and money in the effort to protect an out-of-line manager was something that we could not allow to stand."



Local 1536 Member Vindicated continued...

In his opinion and award, the arbitrator listed dozens of reasons why the County must reinstate the Grievant, pay back his lost wages, accruals and pension payments, and pay all the union's costs for the arbitration. The County was responsible for numerous violations of the collective bargaining agreement, conducted an unreasonable investigation, attempted to chill free speech in violation of the Whistleblower Protection Act, deprived the Grievant of due process protections, and failed to provide the Grievant with Garrity Protections or Weingarten Rights.

The County did not prove its allegations against the Grievant and showed favoritism by failing to investigate the supervisor with the same enthusiasm with which they targeted the Grievant.

"Management have serious issues they need to address in terms of professionalism and use of public funds. The County cannot take lightly the lessons contained in this arbitrator's decision," said Chavez.

Brother Lucero is back on the job serving the youth of Bernalillo County. Local 1536 intends to address these leadership issues with the County Commissioners in the near future.



AT LAST! Rio Arriba County Detention Officers Reach Tentative Agreement for First Contract



Local 1792, Rio Arriba Detention Center Officers have reached a long-sought milestone and voted unanimously to ratify their contract on March 21, 2018. Officers kept the faith for over a year as the County stonewalled and even hired the union-busting law firm of Holcomb and Associates.

Local 1792 Members (pictured left) stop for a photo following the unanimous ratification vote on March 21, 2018.

"This will be a huge morale boost," said Adeline Martinez, Watch Commander Supervisor and organizing committee member for Local 1792. "We have great policies on the books here at the facility, once this contract is fully in place, we will have the power to make sure those safety policies are followed. The officers are very pleased we have reached this milestone."

Anthony Martinez, Detention Officer Court Liaison who served on the Local 1792 negotiating team said, *"I'm excited for the future, to see what we can do better for our facility."*

Guy Jordan, senior supervisor said, *"We've needed this contract for 15 years."*

Highlights of the agreement include a "Just Cause" provision, fair grievance and discipline procedures, a limit on mandating officers to work extended 24-hour shifts, and the regular payment of accrued overtime. The County had been improperly banking Officers' overtime as comp time and only paying it out twice a year. This practice continues to be the subject of a wage and hour lawsuit which the Officer are fighting. The lawsuit that was filed due to the Detention Center's violations of the Fair Labor Standards Act is moving along.

A Settlement Conference with the Magistrate Judge is scheduled for April 13, in Albuquerque. If the issue is not settled, a trial is scheduled for October 2018.





Local 1873 - Sandoval County Detention Officers Build Labor - Management Relationship, Win Important Raises



Tiered raises are an important win for the Officers at Sandoval County Detention Center. While across the board raises are vital to keeping up with costs of living, tiered raises do something more by targeting increases for new recruits or recognizing and rewarding career officers who have stuck with the facility through thick and thin.

David Sparks, President Local 1873 feels that the raises, which range between 2% and 6%, signify that Sandoval County Detention is heading in the right direction after a couple rocky years. *"We have really developed a good working relationship with management,"* said **Sparks**.

Sparks says the raises were a vital first step needed to stem the turnover and prevent officers from leaving for higher paying jobs at the Bernalillo County Municipal Detention Center or with State Corrections.

"We're working closely with the facility directors to make sure our facility is safe," says **Sparks** when referring to much needed facility maintenance, like properly working cell doors and new protective vests. *"Keep watching, we're going to be doing great things."*

The healthy relationship between the facility directors and the Local has given Sparks more freedom to ensure necessary overtime assignments are handled fairly. *"I'm able to have that personal contact with our officers and find out what is going on in their lives,"* said Sparks. *"I have a voice to help do the scheduling fairly and make sure officers' family time isn't too disrupted when overtime shifts are mandated."*

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