



May 23, 2018



As an active AFSCME member, you are familiar the dozens of day to day and long-term battles we wage in defense of workplace rights, safety, and basic respect.

From time to time, we feel compelled to let everyone know about the *real bad-actor* employer actions and what steps AFSCME New Mexico members are taking to make things right. Here are just a couple examples we flagged for you this month.

Ask your coworkers to [join AFSCME HERE!](#)

Shabby Management Skills at Bernalillo County Juvenile Services Center Damage Employee Morale, Safety, and Waste Tax Money

"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."

A bad acting manager at BCYSC cost taxpayers upwards of \$40,000 by fighting, to an inevitable arbitration reversal, a retaliatory termination of an exemplary, 17-year veteran, Youth Program Officer.

That same management team recently moved to discipline Local 1536 activists for speaking with probationary Youth Program Officers, a clear violation of union employees' rights under state, and federal law. AFSCME will be fighting this violation through a Prohibited Practice Complaint to the Public Employees Labor Relations Board.

Morale has been strained by bosses use of a set of training materials employing "not-overtly gestapo" military-style interrogation tactics during employee disciplinary interviews.



The training advised managers on how to gauge the truthfulness of employee testimony based on supposed ethnic behavioral traits and recommends making employees nervous during interviews by using "covertly uncomfortable chairs".

[To view the entire Employee Investigation "Manual" go to AFSCME18.org.](http://AFSCME18.org)

samples:

LEGITIMATE GOALS OF AN INVESTIGATION

To determine if a problem exists

To protect the County

PROXEMICS

The amount of space and types of objects among interviewer and subject:

- Never interview the subject in their office or classroom.
- Make them come to you.
- With some subjects a barrier works best.
- You may want to put the subject in a covertly uncomfortable chair.
- Avoid an overt "Gestapo" environment.
- Dominate the interview unless you want to go for a "trap" situation.

Distance communicates intimacy:

- 0-18": intimate space reserved for family and friends.
 - 08-24": Personal space for most interpersonal interaction.
 - 4-12' : Social/consultative distance
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Is Bernalillo County treating its employees like the dedicated professionals they are, or hostile criminals?



Local 1536 met multiple times with management and county officials with our no-cost solutions to help repair morale and improve labor-management relations. To date, few efforts have taken place to create better relations between employees and trouble causing managers. One manager *did* have his direct supervisory duties suspended following one Local arbitration victory.

After the Local voiced it's grievance over the training materials, the County attempted to backpedal by clarifying that the manual was only "suggested" material. **But, as recently as one week ago, the County continues to distribute the criminal investigatory style toolkit.**

sample2:

EYES

Indicators:

- Rolling Eyes: Frustration or aggression
- Avoidance of eye contact (Careful it may be cultural such as Oriental, Hispanic, Indian)
- Staring often means an attempt to establish dominance
- Wide open eyes will indicate surprise or a sensitive question has been asked

[Read more background on the 1536 action at AFSCME18.org](http://AFSCME18.org)



AFSCME Action Neutralizes AWOL Threat and Manager Intimidation for Calling in Sick

A Director at a Southern New Mexico HSD Income Support Division Field Office had been telling employees that when calling in sick for themselves or to care for a family member, they must contact *and speak with him* directly, or they would be hit with an AWOL violation. According to the email, **employees were NOT allowed to leave voicemails and they are required to call during a specific time in the morning.**

Besides being a clear violation of the contract on changes to policy and procedure, the problems were obvious and many. What if a medical issue arises outside those morning hours? Can an employee call in the night before? What if the Director doesn't pick up?

Step (1)

OFFICIAL GRIEVANCE FORM

NAME OF EMPLOYEE: [REDACTED] Office Class Action

DEPARTMENT: HSD-ISD

CLASSIFICATION:

WORK LOCATION: [REDACTED] County Human Resources: [REDACTED]

STATEMENT OF GREIVANCE: On A [REDACTED] @ [REDACTED] the County Director, [REDACTED] sent an email to the worker at West Dona Ana County Income Support Division. He states in his email to the workers "if you are calling in sick you must call me between the hours of 7:00 AM and 8:30 AM (cell [REDACTED] or my direct line is [REDACTED] but chances of me being here at 7:00 AM are slim". If I don't answer my phone you will need to call me again. No one is allowed to leave me a voice mail. Unilateral change to the terms and conditions of employment in respect to employee's conduct when this when calling in and failed to notify the union of this change. The email also states that that workers cannot leave a message that they have to speak to him directly.

Local 3320 President, Fred Garcia was filed a grievance on articles 6, 18, and 21 for violations on our contract and unnegotiated changes to HSD/ISD personnel policies and procedures.

Thanks to President Fred's network of activists who contacted him about the violations, HSD Human Resources moved quickly to resolve the grievance and rewrote the Director's email to reflect existing language and policy. Employees are encouraged to call between 7:00 and 8:30 a.m. "If possible", and leaving a voicemail is again, allowed.

Despite this request from management, employees can call in earlier if needed, but must call in no later than 30 minutes after the beginning of their work shift.



AFSCME Head to Head with Martinez Administration Before Court of Appeals in Battle to Protect Voting Rights

Employees should not be paid for the small amount of time they take off work to vote, Gov. Susana Martinez's administration says.

The Republican governor has appealed a District Court decision upholding your rights to vote without losing pay to the New Mexico Court of Appeals. Martinez seeks to upend the longstanding interpretation of New Mexico law intended to allow voter participation without deduction of salary for those who would not have time to vote before or after work.

The State Personnel Office is staking out the new position as it appeals the judge's decision that guaranteed AFSCME employees the right to take paid time off work to vote in Albuquerque's mayoral election last fall.

Many states, including Texas, Utah, and Colorado have similar laws on the books.

The League of Women Voters has said that denying workers administrative leave to vote on Election Day is "a blatant and deplorable voter suppression tactic."

It's nothing shocking, the Martinez Administration knows well and good that when more people vote, candidates supporting working people win.

We will keep you updated on whatever action the Court of Appeals takes.

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Have a tip about bosses going off the rails? Email: POWER@AFSCME18.org