

**THE CITY OF ALBUQUERQUE
LABOR MANAGEMENT RELATIONS BOARD**

IN THE MATTER OF A PROHIBITED PRACTICE:

NMTU,

Petitioner,

vs.

Cause No.: LB 03-31

CITY OF ALBUQUERQUE

Respondent.

MOTION TO INTERVENE

COMES NOW, the Petitioner, The Albuquerque Police Officers' Association (hereinafter referred to as the "APOA") by and through its attorney Sanchez, Mowrer & Desiderio, P.C. (Frederick M. Mowrer), and respectfully requests an Order from the City of Albuquerque Labor Relations Board allowing it to intervene in the above referenced matter and as grounds in support thereof would state as follows:

1. The "APOA" is recognized by the City of Albuquerque as the exclusive Collective Bargaining agent on behalf of its members.
2. As such, the "APOA" participates within the Rules and Regulations as adopted by the City to include the Labor Management Relations Act.
3. The Act prohibits the disclosure of any information concerning the negotiation of Collective Bargaining Agreements to include records of meetings and the exchange of proposals and counter-proposals between representatives of the "APOA" and the City of Albuquerque.
4. The Labor Management Relations Act entitles the "APOA" the protection and confidentiality of all documentation regarding Collective Bargaining.
5. It has come to the attention of the "APOA" that the Petitioner has sought, without notice to the "APOA", a substantial number of documents from the City of Albuquerque under the Inspection of Public Records Act which may violate the protections offered by the Labor Management Relations Act and impact its ability to negotiate with the City of Albuquerque as

provided for under that Act.

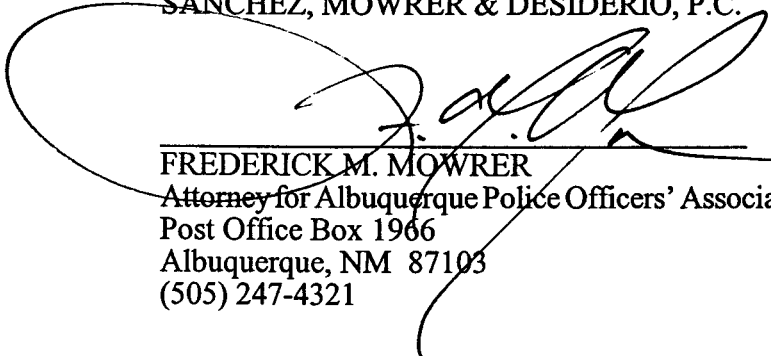
6. The "APOA" would object to the disclosure of any documentation until such time as the "APOA" is allowed to review such information.

7. NMTU's failure to provide any notice of its intent to seek such documentation is a violation of the APOA's rights to due process of law and its ability to protect the interest of its members.

WHEREFORE, the Petitioner prays an Order from the Labor Management Relations Board allowing it to Intervene in this matter and for and such other relief as the Board may deem just and necessary.

Respectfully submitted,

SANCHEZ, MOWRER & DESIDERIO, P.C.



FREDERICK M. MOWRER
Attorney for Albuquerque Police Officers' Association
Post Office Box 1966
Albuquerque, NM 87103
(505) 247-4321

CERTIFICATE OF MAILING

I hereby certify that a true copy of the foregoing was mailed to all parties of record this 10 day of February, 2004.



FREDERICK M. MOWRER

legal/apoa/nmtu motion to intervene.020904

**THE CITY OF ALBUQUERQUE
LABOR MANAGEMENT RELATIONS BOARD**

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NMTU,

Petitioner,

vs.

Cause No.: LB 03-31

CITY OF ALBUQUERQUE

Respondent.

MOTION TO INTERVENE

COMES NOW, the Petitioner, The Bernalillo County Fire Fighters Employee Organization IAFF Local 244 (hereinafter referred to as the "IAFF LOCAL 244") by and through its attorney Sanchez, Mowrer & Desiderio, P.C. (Frederick M. Mowrer), and respectfully requests an Order from the City of Albuquerque Labor Relations Board allowing it to intervene in the above referenced matter and as grounds in support thereof would state as follows:

1. "IAFF LOCAL 244" is recognized by the City of Albuquerque as the exclusive Collective Bargaining agent on behalf of its members.
2. As such, "IAFF LOCAL 244" participates within the Rules and Regulations as adopted by the City to include the Labor Management Relations Act.
3. The Act prohibits the disclosure of any information concerning the negotiation of Collective Bargaining Agreements to include records of meetings and the exchange of proposals and counter-proposals between representatives of "IAFF LOCAL 244" and the City of Albuquerque.

4. The Labor Management Relations Act entitles "IAFF LOCAL 244" the protection and confidentiality of all documentation regarding Collective Bargaining.

5. It has come to the attention of "IAFF LOCAL 244" that the Petitioner has sought, without notice to "IAFF LOCAL 244", a substantial number of documents from the City of Albuquerque under the Inspection of Public Records Act which may impact the ability of "IAFF LOCAL 244" to comply with the Rules and Regulations of the Labor Management Relations Act and to continue to negotiate with the City of Albuquerque as provided for under that Act.

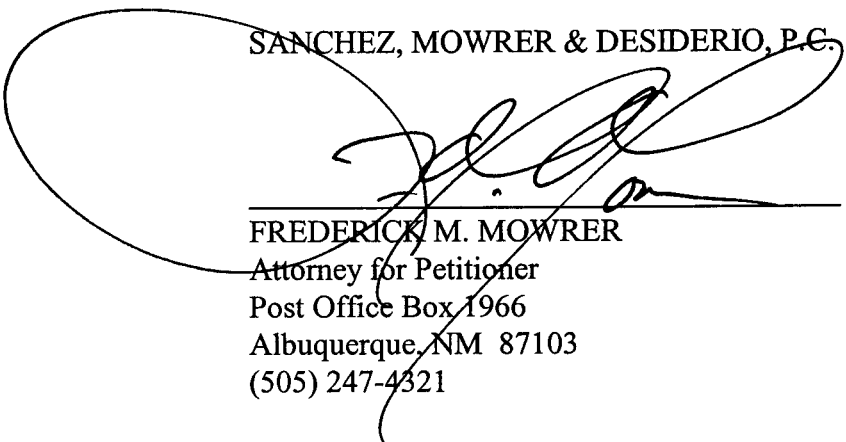
6. "IAFF LOCAL 244" would object to the disclosure of any documentation until such time as the "IAFF LOCAL 244" is allowed to review such information.

7. NMTU'S failure to provide any notice of its intent to seek such documentation is a violation of "IAFF LOCAL 244's" rights to due process of law and its ability to protect the interest of its members.

WHEREFORE, the Petitioner prays an Order from the Labor Management Relations Board allowing it to Intervene in this matter and for and such other relief as the Board may deem just and necessary.

Respectfully submitted,

SANCHEZ, MOWRER & DESIDERIO, P.C.



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