

BEFORE THE MAYOR OF THE CITY OF ALBUQUERQUE

**IN THE MATTER OF RECOGNITION OF
THE NMTU AS THE EXCLUSIVE BARGAINING
AGENT FOR THE TRANSIT DEPARTMENT
DRIVERS' BARGAINING UNIT**

**REQUEST FOR RECOGNITION AS EXCLUSIVE
BARGAINING REPRESENTATIVE**

THE NEW MEXICO TRANSPORTATION UNION (NMTU) presents the following written request asserting that a majority of the members of the Transit Department drivers' bargaining unit desire to be represented by the NMTU for the purpose of collective bargaining and seeking recognition as the exclusive bargaining representative, stating as grounds.

1. Prior to the present contract, the NMTU was the sole and exclusive bargaining and grievance representative for the bargaining unit made up of City Transit Department bus and van drivers.
2. A Collective Bargaining Agreement between the City and AFSCME, Local 624 Transit, expires on June 30, 2011.
3. Accompanying this Request is a sealed envelope containing 126 copies of membership applications signed and dated by members of the bargaining unit desiring representation by the NMTU.
4. The 126 NMTU membership applications constitute more than 30% of the employees in the bargaining unit.

5. Pursuant to the City's Labor-Management Relations Ordinance, Sec. 3-2-6(B), upon a showing of at least 30% membership support for one union, any other union may file with the Mayor a written claim "showing a demonstration of support of at least 10% of the employees in the bargaining unit by means of a dated membership list or signed and dated membership cards."

6. Pursuant to Rule 3-2-6 (C), absent any dispute about the persons in the bargaining unit, when a showing in excess of 50% is made by an employee organization, "the Mayor shall certify the employee organization as the exclusive representative of the bargaining unit."

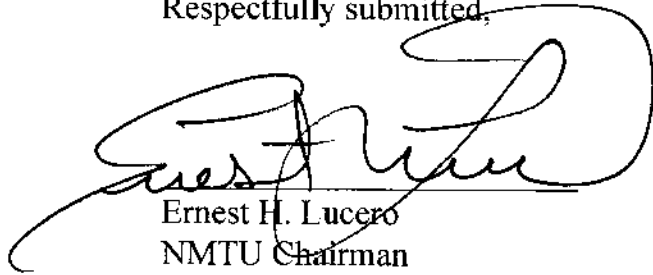
7. Alternatively, if the Mayor determines that there is doubt about majority bargaining unit support for NMTU, or if there is an additional showing of support for another union, the NMTU requests a representational election to be held in accordance with the provisions of the City's Labor-Management Relations Ordinance.

8. Pursuant to Sec. 3-2-6, LMRO, following the filing of this Request, "notice of the request shall be posted on the next working day ... by the City Human Resources Department in a place conspicuous to the city employees in the bargaining unit."

WHEREFORE, the Mayor should accept this Request for Representation, review the NMTU's demonstration of support, and finding that the NMTU has the support of the majority of the employees in the bargaining unit, comply with the Labor-Management Relations Ordinance by re-appointing and re-designating the NMTU as the sole and exclusive bargaining and grievance representative of the drivers in the Transit Dept.

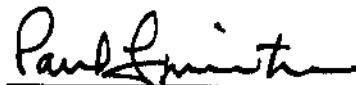
bargaining unit. Alternatively, the Mayor should refer the matter of NMTU representation for resolution in accordance with the provisions of the City's Labor-Management Relations Ordinance.

Respectfully submitted,



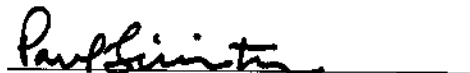
Ernest H. Lucero
NMTU Chairman
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and



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(505) 771-4000

I hereby certify that true copies of the foregoing were delivered and/or sent by fax or e-mail to Mayor Berry, the Director of Human Resources, and the Office of the City Clerk on March 10, 2011.


Paul Livingston