

On the Positive Side: Animal shelter board and city discuss staff

By Frank Bryce

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In a positive action at the last Animal Services Center of Mesilla Valley board meeting, a memorandum of agreement was introduced that hopefully will finally provide Las Cruces City Human Resource services to ASCMV employees.

Since its inception in 2008, the ASCMV Joint Powers Agreement made by and between the city of Las Cruces and Dona Ana County included mechanisms for financing, operating and maintaining a regional animal shelter and related facilities, but does not include processing of the Family Medical Leave Act, Americans With Disabilities Act, investigations and responses to hostile work environment or harassment claims or access to Employee Assistance Programs. ASCMV staff, having been designated as not being city or county employees, have been denied employee services that are provided to city and county employees. The Humane Society of Southern New Mexico has been made aware of these issues by a number ASCMV staff in need of such services and brought this to the attention of the ASCMV Board for some time previously — to no avail.

It is timely that such services be provided.

The wording of the MOU as presented for consideration does have some serious ambiguity and may possibly, under many conditions, leave the ASCMV employees in limbo as to where to seek remedy for their issues. That is an issue apparent in the provisions of the MOU that state 'when appropriately notified, depending on staff availability and other factors, the city will process Family Medical Leave Act request for ASCMV employees.' The MOU further states 'If requested by the ASCMV, the city, depending on staff availability and other factors, will investigate and make recommendations to the ASCMV in matters related to the EEOC or the ADA.'

The same is said about the Employee Assistance Program. 'In all cases the ASCMV shall be the sole and final determinant of any course of action or inaction,' the MOU states. This language certainly could leave ASCMV staff without recourse and HSSNM did express concern about the lack of safety net. This is exactly the position the ASCMV staff currently suffers and that which this MOU should adequately address.

Defining appropriate notification and recourse if such services are denied due to availability of staff or other factors should be accomplished.

HSSNM recommended a change to the existing Joint Powers Agreement that would add these services to those already identified in the existing agreement. Staff working in city and county-funded animal shelters such as the ASCMV — especially as tough and draining as the job can be — deserve no less than equal status with other government employees.

That would be a step on the positive side!

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