



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# Rhode Island State Labor Relations Board

Building 73  
1511 Pontiac Avenue  
Cranston, Rhode Island 02920-4407

## OPEN MINUTES BOARD MEETING

**TIME:** 9:00 a.m.  
**DATE:** Wednesday, September 8, 2004  
**PLACE:** 1511 Pontiac Ave., Building #73, 3rd Floor, Cranston, RI 02920

**BOARD MEMBERS IN ATTENDANCE:** Walter J. Lanni, Chairman  
Frank J. Montanaro  
John R. Capobianco  
Elizabeth S. Dolan  
Gerald S. Goldstein  
Ellen L. Jordan

**BOARD MEMBER ABSENT:** Joseph V. Mulvey

**OTHERS PRESENT:** Robyn H. Golden, Acting Administrator  
Linda L. Esposito, Secretary  
Margaret Hogan, Esquire

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Chairman Lanni called the meeting to order in Open Session at 9:15 a.m.

### ELECTION PETITIONS:

1 Case No. EE-3675  
RI Family Court & AFSCME

All Board Members present reviewed the request from Attorney Jeffrey Kasle to allow the parties to perform discovery and depositions before the scheduled formal hearing date in this matter. A Motion was made by Frank Montanaro and seconded by John Capobianco to deny Attorney Kasle's request and to schedule the formal hearings to be held on September 30, 2004, October 26, 2004, October 27, 2004 and October 28, 2004. Attorney Kasle is to be advised that the Board reviewed the investigator's report and feels there is sufficient evidence to expedite this matter. After discussion, all Board Members present voted in favor of the Motion.

Telephone: (401) 462-8830

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**RULES AND REGULATIONS:**

All Board Members present reviewed the Proposed Changes to the Board's Rules and Regulations, as follows:

2. **HEADING ON COVER PAGE:** changes accepted as originally proposed
3. **SECTION 8.01 IN INDEX:** changes accepted as originally proposed.
4. **SECTION 8.02 IN INDEX:** changes accepted as originally proposed.
5. **SECTION 8.03 IN INDEX:** changes accepted as originally proposed.
6. **SECTION 8.04 IN INDEX:** changes accepted as originally proposed.
7. **SECTION 8.07 IN INDEX:** changes accepted as originally proposed.
8. **SECTION 9.01 IN INDEX:** changes accepted as originally proposed.
9. **§1.00.2:** changes accepted as originally proposed.
10. **§1.00.3:** changes accepted as originally proposed.
11. **§1.01.12:** changes accepted as originally proposed.
12. **§1.01.23:** changes accepted as originally proposed.
13. **§3.01.3:** changes accepted as originally proposed.
14. **§3.01.4:** changes accepted as originally proposed.
15. **§3.02.1:** changes accepted as originally proposed.
16. **§3.02.4:** changes accepted as originally proposed.
17. **§4.01.1: changes made by Board:**  
    **Subsection h):** Change "shall" to "may"  
    All other changes accepted as originally proposed.
18. **§4.01.2: changes made by Board:**  
    **Subsection c):** Change "should" to "shall"  
    All other changes accepted as originally proposed.
19. **§6.01.3:** changes accepted as originally proposed.
20. **§6.01.5:** changes accepted as originally proposed.
21. **§6.01.7:** changes accepted as originally proposed.
22. **§7.01.1:** changes accepted as originally proposed.
23. **§7.01.6:** changes accepted as originally proposed.
24. **§7.01.8:** changes accepted as originally proposed.
25. **§7.01.12:** changes accepted as originally proposed.
26. **§7.02.1:** changes accepted as originally proposed.
27. **§7.02.4:** changes accepted as originally proposed.
28. **§7.03.4: Changes made by Board:**  
    **¶3:** Change "may" to "shall"  
    All other changes accepted as originally proposed.
29. **§7.03.9:** changes accepted as originally proposed.
30. **§8.01:** changes accepted as originally proposed.
31. **§8.01.1:** changes accepted as originally proposed.
32. **§8.01.2:** changes accepted as originally proposed.
33. **§8.01.3:** changes accepted as originally proposed.
34. **§8.01.4:** changes accepted as originally proposed.
35. **§8.02.1:** changes accepted as originally proposed.
36. **§8.02.2:** changes accepted as originally proposed.

36. §8.02.2 3: changes accepted as originally proposed.
37. §8.02.3 4: changes accepted as originally proposed.
38. §8.02.4 5: changes accepted as originally proposed.
39. §8.02.5 6: changes accepted as originally proposed.
40. §8.02.6 7: changes accepted as originally proposed.
41. §8.02.7 8: **Changes made by Board:**  
    **In subtitle:** change from "Exclusion of Ineligible Employees; Criteria" to "Board Determination of Exclusion of Ineligible Employees"  
    **Delete:** ¶2a 1-4, and ¶2b  
    All other changes accepted as originally proposed.
42. §8.02.8 9: changes accepted as originally proposed.
43. §8.02.9 10: changes accepted as originally proposed.
44. §8.02.10 11: changes accepted as originally proposed.
45. §8.02.11 12: changes accepted as originally proposed.
46. §8.02.12 13: changes accepted as originally proposed.
47. §8.02.13 14: **Changes made by Board:**  
    **¶2b:** change "at the next monthly Board Meeting" to "as soon as practicable"; Take out "expeditiously" in last sentence.  
    All other changes accepted as originally proposed.
48. §8.02.14 15: changes accepted as originally proposed.
49. §8.04.2: changes accepted as originally proposed.
50. §8.04.3: changes accepted as originally proposed.
51. §8.04.4: changes accepted as originally proposed.
52. §8.04.4 5: changes accepted as originally proposed.
53. §8.04.5 6: changes accepted as originally proposed.
54. §8.04.6 7: changes accepted as originally proposed.
55. §8.04.7 8: changes accepted as originally proposed.
56. §8.04.8 9: changes accepted as originally proposed.
57. §8.04.9 10: changes accepted as originally proposed.
58. §8.04.10 11: changes accepted as originally proposed.
59. §8.05.2: changes accepted as originally proposed.
60. §8.05.3: changes accepted as originally proposed.
61. §8.05.5: changes accepted as originally proposed.
62. §8.05.6: changes accepted as originally proposed.
63. §9.01: changes accepted as originally proposed.
64. §9.02.12: changes accepted as originally proposed.
65. §10.01.1: changes accepted as originally proposed.
66. §12.01.1: changes accepted as originally proposed.
67. §12.01.2: changes accepted as originally proposed.
68. §13.01.3: changes accepted as originally proposed.
69. §14.01: changes accepted as originally proposed.
70. §14.01.3: changes accepted as originally proposed.

All Board Members present reviewed the proposed changes for the Rules and Regulations submitted by Attorney Gerard Cobleigh; these changes will be reviewed at the Public Hearing.

A Motion was made by Elizabeth Dolan and seconded by Ellen Jordan to accept the proposed changes as written. After discussion, all Board Members present voted in favor of the Motion. A Motion was made by Elizabeth Dolan and seconded by Gerald Goldstein to schedule the Public Hearing on the Proposed Changes of the Rules and Regulations for Thursday, November 4, 2004. After discussion, all Board Members voted in favor of the Motion.

A Motion was made by John Capobianco and seconded by Frank Montanaro to amend the Agenda to include Case No. ULP-5596. All Board Members present voted in favor of the Motion.

**CASE CONCLUDED:**

- 1 Case No. ULP-5596  
Tiverton School & AFSCME

This case was heard formally by Walter Lanni, Joseph Mulvey, John Capobianco, Elizabeth Dolan, and Gerald Goldstein. Frank Montanaro and Ellen Jordan reviewed the transcript and briefs submitted by the parties.

After review, a Motion was made by Frank Montanaro and seconded by John Capobianco to dismiss the Employer's charge in Case No. ULP-5596. After discussion, all Board Members present voted in favor of the Motion.

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A Motion to adjourn was made by John Capobianco, and it was seconded by Elizabeth Dolan, and it was unanimously,

**VOTED:** to adjourn the meeting at 10:50 a.m.