



Rhode Island State Labor Relations Board

1511 Pontiac Avenue
Building 73, 2nd floor
Cranston, Rhode Island 02920-4407
Website: www.dlt.ri.gov/lrb

OPEN MINUTES BOARD MEETING

TIME: 9:00 a.m.
DATE: Thursday, August 19, 2010
PLACE: 1511 Pontiac Ave., Building #73, 3rd Floor, Cranston, RI 02920

BOARD MEMBERS IN ATTENDANCE: Walter Lanni
Frank Montanaro
Ellen Jordan
John R. Capobianco
Gerald Goldstein

MEMBERS ABSENT: Elizabeth Dolan

OTHERS PRESENT: Robyn H. Golden, Administrator
Lisa L. Ribezzo, Labor Board Case Agent
Margaret L. Hogan, Esq.

Chairman Lanni called the meeting to order in Open Session at 9:10 a.m.

All Board Members present reviewed the Open Minutes of the June 8, 2010 Board Meeting. A Motion was made by Frank Montanaro and seconded by Gerald Goldstein to accept the Open Minutes as written, and it was unanimously

VOTED: by all Board Members present to accept the minutes as written.

The meeting continued in open session:



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CONSENT AGREEMENTS & AFFIDAVITS:

1. Case No. EE-3270
State of RI – Department of Labor and Training & RIESA, Local 401, Service Employees International Union (SEIU) (**Technical Support Specialist III**)

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Frank Montanaro and seconded by Ellen Jordan to acknowledge and accept the parties' signed agreement; that the position(s) of **Technical Support Specialist III**, shall be and is hereby **accreted** to the bargaining unit as defined by Certification No. EE-3270. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

2. Case No. EE-3167
Providence School Department & RI Laborers' District Council, Local 1033
(**Energy Manager – 2 Positions**)

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Frank Montanaro and seconded by Ellen Jordan to acknowledge and accept the parties' signed agreement; that the position(s) of **Energy Manager**, shall be and is hereby **accreted** to the bargaining unit as defined by Certification No. EE-3167. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

DRAFTED DECISION AND ORDERS:

1. Case No. ULP- 5901
Newport School Department & RI Council 94, AFSCME, AFL-CIO

This case was heard formally by Walter Lanni, John Capobianco, Gerald Goldstein, Elizabeth Dolan, and Frank Montanaro; Ellen Jordan reviewed the transcript(s) and briefs, as well as the evidence submitted therein.



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After review of the drafted Decision, a Motion was made by Frank Montanaro and seconded by Gerald Goldstein to sign the Decision and Order, as written. After discussion, all Board Members present voted in favor of the Motion and did sign the Decision and Order, as written.

ORDER: 1) The Employer is hereby ordered to execute a collective bargaining agreement for the period of July 1, 2006 - June 30, 2010 that contains the following provision in Section 43.5 of the contract: All employees who are eligible for retirement and retire after June 30, 2006 who are participants in the Extended Health Care Benefit Plan, shall receive when said retiree becomes Medicare eligible, up to two Medigap plans for the employee and spouse (if applicable) with a 80/20 co-pay prescription plan with \$300.00 out of pocket cap and organ transplant rider, twelve (12) chiropractic visits rider and student coverage to age 25 rider.

2. Case No. ULP- 5827

State of RI – Department of Administration, Department of Education, Department of Health & RI Council 94, AFSCME, AFL-CIO

A Motion was made Ellen Jordan and seconded by Frank Montanaro to table this matter until the next monthly Board Meeting. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

3. Case No. ULP- 5928

City of Providence & International Association of Fire Fighters (IAFF), Local 799

A Motion was made by John Capobianco and seconded by Ellen Jordan to issue an amended Complaint; thus, to correct a scrivener's error made in the original Complaint and to table this matter until the next applicable Board meeting. After discussion, Walter Lanni, John Capobianco, Ellen Jordan, and Gerald Goldstein voted in favor of the Motion. Frank Montanaro recused himself from participation in this matter. Motion passed.



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4. Case No. ULP- 5955
Board of Governors for Higher Education - URI & URI/AAUP Part-Time Faculty United (PTFU)

A Motion was made Frank Montanaro and seconded by John Capobianco to table this matter until the next monthly Board Meeting. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

5. Case No. EE- 3690
Town of West Greenwich & RI Laborers District Council, Local 1322

This case was heard formally by Walter Lanni, John Capobianco, Gerald Goldstein, Elizabeth Dolan, and Ellen Jordan. Frank Montanaro reviewed the transcript(s) and briefs, as well as the evidence submitted therein.

After review of the drafted Decision, a Motion was made by Frank Montanaro and seconded by Gerald Goldstein to sign the Decision and Order, as written. After discussion, all Board Members present voted in favor of the Motion and did sign the Decision and Order, as written.

ORDER: The position of Animal Control Officer shall be accreted to the bargaining unit certified by EE- 3690.

MISCELLANEOUS MATTERS:

1. Case No. EE- 3039-3042
City of Providence & RI Laborers' District Council, Local 1033
(74 Accretion Positions – Providence Water Supply)

After review of the above-entitled matter, a Motion was made Ellen Jordan and seconded by Gerald Goldstein, to proceed directly to formal hearing; to be scheduled no earlier than thirty (30) days from date of this meeting. After discussion, all Board Members present voted in favor of the Motion. Motion passed.



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Ellen Jordan made a Motion for the Board to go into Closed Session for the purpose of reviewing the Unfair Labor Practice Charges and the Minutes to be closed, pursuant to 42-46-5(a)(2)(4) of the Open Meetings Law. Gerald Goldstein seconded the Motion and it was unanimously

VOTED: for the meeting to go into closed session and to close the minutes.

The meeting and minutes were closed at 9:55 a.m.

The meeting resumed in open session at 10:00 a.m. for the purposes of reading, into the minutes, the determinations made by the Board in Closed Session.

UNFAIR LABOR PRACTICE CASES:

1. Case No. ULP- 6007
Town of Scituate & International Association of Fire Fighters (IAFF)

DETERMINATION: matter tabled.

2. Case No. ULP- 6012
Central Falls Detention Facility Corporation & Fraternal Order of Police, Lodge 50

DETERMINATION: matter tabled.

A Motion to adjourn was made by Ellen Jordan and seconded by Gerald Goldstein and it was unanimously,

VOTED: to adjourn the meeting at 10:05 a.m.