



Rhode Island State Labor Relations Board

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

CLOSED MINUTES BOARD MEETING

TIME: 9:00 a.m.
DATE: Tuesday, December 11, 2012
PLACE: 1511 Pontiac Ave., Building #73, 2nd Floor, Cranston, RI 02920

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

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 9:20 a.m.

All Board Members reviewed the Closed Minutes of the October 9, 2012 Board Meeting. A Motion was made by John Capobianco and seconded by Gerald Goldstein to accept the Closed Minutes as written, and it was unanimously

VOTED: by Board Members Walter Lanni, Ellen Jordan, and Elizabeth Dolan to accept the minutes as written. Gerald Goldstein and John Capobianco abstained from voting in this matter. Motion passed.

UNFAIR LABOR PRACTICE CASES:

1. Case No. ULP-6089
North Kingstown School Committee & North Kingstown ESPA/NEARI/NEARI
Board Member, Elizabeth Dolan, has recused herself from participation in this matter.

After review of the informal notes in this matter, a Motion was made by Frank Montanaro and seconded by John Capobianco, to uphold the charge in this matter, issue a Complaint, and proceed to formal hearing. After discussion, all Board Members voted in favor of the Motion. Motion passed.



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2. Case No. ULP- 6090
North Kingstown School Committee & North Kingstown ESPA/NEARI/NEARI

After review of the informal notes in this matter, a Motion was made by Frank Montanaro and seconded by John Capobianco, to uphold the charge in this matter, issue a Complaint, and proceed to formal hearing. After discussion, all Board Members voted in favor of the Motion. Motion passed.

3. Case No. ULP-6091
North Kingstown School Committee & North Kingstown ESPA/NEARI/NEARI

After review of the informal notes in this matter, a Motion was made by Frank Montanaro and seconded by John Capobianco, to uphold the charge in this matter, issue a Complaint, and proceed to formal hearing. After discussion, all Board Members voted in favor of the Motion. Motion passed.

4. Case No. ULP-6092
Chariho Regional School Committee & NEA Chariho

After review of the informal notes in this matter, a Motion was made by Gerald Goldstein and seconded by Frank Montanaro, to uphold the charge in this matter, issue a Complaint, and proceed to formal hearing. After discussion, all Board Members voted in favor of the Motion. Motion passed.

5. Case No. ULP-6093
North Kingstown School Committee & North Kingstown ESPA/NEARI/NEARI

After review of the informal notes in this matter, a Motion was made by Frank Montanaro and seconded by Gerald Goldstein, to uphold the charge in this matter, issue a Complaint, and proceed to formal hearing. After discussion, all Board Members voted in favor of the Motion. Motion passed.

6. Case No. ULP-6094
North Kingstown School Committee & North Kingstown ESPA/NEARI/NEARI

After review of the informal notes in this matter, a Motion was made by John Capobianco and seconded by Frank Montanaro, to uphold the charge in this matter, issue a Complaint, and proceed to formal hearing. After discussion, all Board Members voted in favor of the Motion. Motion passed.



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7. Case No. ULP-6095
City of Pawtucket & RI Council 94, AFSCME, AFL-CIO

After review of the informal notes in this matter, a Motion was made by Frank Montanaro and seconded by John Capobianco, to uphold the charge in this matter, issue a Complaint, and proceed to formal hearing. After discussion, all Board Members voted in favor of the Motion. Motion passed.

MISCELLANEOUS CASES:

Upon review of the Agenda for December 11, 2012, a Motion was made by Ellen Jordan and seconded by Frank Montanaro to amend the title of the matter of Case No. ULP-6088 (WC 2012-0542) (Litigation Matter) to reflect the correct caption, "Town of North Kingstown & North Kingstown Fire Fighters, International Association of Fire Fighters (IAFF)" instead of "Town of North Kingstown & North Kingstown ESPA/NEARI/NEARI." After discussion, all Board Members voted in favor of the Motion. Motion passed.

1. Case No. ULP- 5890
Providence Community Action Program & RI Laborers' District Council, Local 1033

A Motion to Dismiss, with prejudice, for non-response in accordance with the Board's Rules and Regulations, §9.01.10, was made by Frank Montanaro and seconded by John Capobianco. After discussion, all Board Members voted in favor of the Motion. Motion passed.

2. Case No. ULP- 6088 (WC 2012-0542) (Litigation Matter)
Town of North Kingstown & North Kingstown Fire Fighters, IAFF

Board Member, Elizabeth Dolan, has recused herself from participation in this matter.

Attorney Hogan requested this matter be placed back on the Closed Agenda for further discussion as to whether the Board should intervene into the above-entitled matter. A Motion was made by Ellen Jordan and seconded by Frank Montanaro to intervene into the Court matter; as well as submission of Briefs filed on behalf of the Board. After discussion, all Board Members voted in favor of the Motion. Motion passed.

3. Closed Minutes: March 11, 2003 (Minutes to be opened and posted)

After review of the submitted closed minutes, a Motion was made by Ellen Jordan and seconded by Elizabeth Dolan, to publish the closed minutes from the above-mentioned closed Board Meeting(s). After discussion, all Board Members voted in favor of the Motion. Motion passed.



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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Frank Montanaro made a Motion that the Board Meeting resume in Open Session for the purpose of reading, into the minutes, the determinations made by the Board in Closed Session, as well as adjournment. Elizabeth Dolan seconded the Motion and it was unanimously