



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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: Tuesday, April 10, 2012
PLACE: 1511 Pontiac Ave., Building #73, 2nd Floor, Cranston, RI 02920

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

MEMBERS ABSENT: Walter Lanni

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 9:15 a.m.

All Board Members reviewed the Open Minutes of the February 28, 2012 Board Meeting. A Motion was made by Frank Montanaro and seconded by John Capobianco to accept the Open Minutes as written, and it was unanimously

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

CONCLUDED CASES:

1. Case No. EE- 3399
Lincoln Housing Authority & RI Laborers' District Council, Local 1217

A Motion was made Elizabeth Dolan 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.



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DECISION AND ORDERS:

1. Case No. ULP- 5996
Portsmouth School Department & NEA Portsmouth

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.

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

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.

3. Case No. ULP- 6017
State of RI – Department of Education & RIDE Professional Employee's Union,
Local 2012, AFT

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.

4. Case No. ULP- 6056
Town of Portsmouth & National Association of Government Employees, Local 280

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.

MISCELLANEOUS MATTERS:

1. Case No. EE- 1715
State of RI – Department of Labor and Training & RI Council 94, AFSCME, AFL-CIO

After review of the Investigator's report, a Motion was made by Frank Montanaro and seconded by John Capobianco to proceed to directly to formal hearing. After discussion, all Board Members present voted in favor of the Motion. Motion passed.



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A Motion was made by John Capobianco 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 R.I.G.L. 42-46-5(a) (2) (4) of the Open Meetings Law. Elizabeth Dolan 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 9:30 a.m.

The meeting resumed in open session at 9:50 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- 6074
State of RI – University of Rhode Island & PSA@RIC

DETERMINATION: uphold the charge, issue a Complaint, and proceed to formal hearing.

2. Case No. ULP- 6076
State of RI – University of Rhode Island & RI Council 94, AFSCME, AFL-CIO

DETERMINATION: uphold the charge, issue a Complaint, and proceed to formal hearing.

3. Case No. ULP- 6078
Foster-Glocester Regional School Committee & NEA Ponaganset/NEARI

DETERMINATION: uphold the charge, issue a Complaint, and proceed to formal hearing.

4. Case No. ULP- 6079
City of Providence & RI Laborers' District Council, Local 1033

DETERMINATION: matter administratively dismissed.

5. Case No. ULP- 6080
North Smithfield School Committee & North Smithfield Association of Support Staff Personnel/NEARI

DETERMINATION: matter administratively dismissed.



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MISCELLANEOUS MATTERS:

1. Case No. ULP- 6038
Portsmouth School Committee & NEA/Portsmouth/NEARI
(Objection to Motion to Dismiss / Memorandum of Law)

DETERMINATION: to hold a ruling on the Motions until the conclusion of Formal Hearing process.

2. Appointment of Legal Counsel 7/1/12 - 6/30/13

DETERMINATION: that Margaret Hogan, Esquire, d/b/a/ Hogan and Hogan LTD, has been re-appointed as the Board's Legal Counsel for Fiscal Year July 1, 2012 to June 30, 2013.

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

VOTED: to adjourn the meeting at 9:55 a.m.