



# Rhode Island State Labor Relations Board

1511 Pontiac Avenue  
Building 73, 2<sup>nd</sup> floor  
Cranston, Rhode Island 02920-4407  
Website: [www.dlt.ri.gov/lrb](http://www.dlt.ri.gov/lrb)

## CLOSED MINUTES BOARD MEETING

**TIME:** 9:00 a.m.  
**DATE:** Tuesday, April 10, 2012  
**PLACE:** 1511 Pontiac Ave., Building #73, 2<sup>nd</sup> 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.

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

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All Board Members reviewed the Closed Minutes of the February 28, 2012 Board Meeting. A Motion was made by John Capobianco and seconded by Elizabeth Dolan to accept the Closed Minutes as written and to seal the minutes. It was unanimously

**VOTED:** by all Board Members present to accept the minutes as written. Motion passed.  
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### UNFAIR LABOR PRACTICE CASES:

1. Case No. ULP- 6074  
State of RI – University of Rhode Island & PSA@RIC

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 present voted in favor of the Motion. Motion passed.

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

After review of the informal notes, a Motion was made by Elizabeth Dolan and seconded by Ellen Jordan to administratively dismiss the Unfair Labor Practice Charge filed in this matter. After discussion, Gerald Goldstein, Frank Montanaro, and John Capobianco opposed the Motion. Motion failed.



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Subsequently, 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, Gerald Goldstein voted in favor of the Motion. Elizabeth Dolan and Ellen Jordan opposed the Motion. Motion passed.

3. Case No. ULP- 6078  
Foster-Glocester Regional School Committee & NEA Ponaganset/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 present voted in favor of the Motion. Motion passed.

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

After review of the informal notes, 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, Elizabeth Dolan, Ellen Jordan, and Gerald Goldstein opposed the Motion. Motion failed.

Subsequently, a Motion was made by Gerald Goldstein and seconded by Elizabeth Dolan to administratively dismiss the Unfair Labor Practice Charge filed in this matter. After discussion, Ellen Jordan voted in favor of the Motion. Frank Montanaro and John Capobianco opposed the Motion. Motion passed.

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

After review of the informal notes in this matter, a Motion was made by Ellen Jordan and seconded by Elizabeth Dolan to administratively dismiss the Unfair Labor Practice Charge filed in this matter. After discussion, all Board Members present voted in favor of the Motion. Motion passed.



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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*)

After review of the Motion to Dismiss, as well as the Objection to Motion to Dismiss / Memorandum of Law, a Motion was made by Frank Montanaro and seconded by John Capobianco to hold the ruling on the Motions until the conclusion of the formal hearing process. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

2. Appointment of Legal Counsel Fiscal Year July 1, 2012 to June 30, 2013

After review of all documentation submitted, a Motion was made by John Capobianco and seconded by all parties to reappoint Margaret L. Hogan, Esq., d/b/a Hogan & Hogan, LTD, as the Board's Legal Counsel for Fiscal Year July 1, 2012 to June 30, 2013. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

Subsequently, a Motion was made by Ellen Jordan and seconded by Elizabeth Dolan to authorize the Chairman, Walter Lanni, to sign all paperwork in conjunction with the appointment of Hogan and Hogan, LTD. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

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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

**VOTED:** to resume the meeting in Open Session at 9:50 a.m.