



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, February 12, 2013
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

BOARD MEMBERS ABSENT: John 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 9:50 a.m.

All Board Members, present, reviewed the Open Minutes of the December 11, 2012 Board Meeting. A Motion was made by Gerald Goldstein and seconded by Elizabeth Dolan 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.

REPRESENTATION CASES:

1. Case No. EE- 3729
RI Board of Regents/Department of Education & RIDE Legal Counsel/
Hearing Officer Professional Union

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



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MISCELLANEOUS CASES:

1. Case No. EE- 3609
Town of Scituate & RI Laborers' District Council, Local 1322

After review of the documentation submitted in the above-entitled matter, a Motion was made by Frank Montanaro and seconded by Elizabeth Dolan to grant the Union's request to voluntarily revoke the Certification of Representatives in Case No. EE-3609. After discussion, all Board Members, present, voted in favor of the Motion. Motion passed.

2. Case No. EE-3316A
Forster/Glocester School Committee & Ponaganset Association of Educational Support Personnel/NEARI

The Union's Representative submitted a request to this Board for an amendment of the Certification of Representatives; hence, reflecting a name change from the Ponaganset Association of Clerical Technical Personnel/NEA/NEARI to the Ponaganset Association of Educational Support Personnel/NEARI.

Upon review of all documentation submitted by the parties, a Motion was made by Frank Montanaro and seconded by Ellen Jordan to acknowledge and approve the amendment of the Certification of Representatives; thus, reflecting the name change of Ponaganset Association of Educational Support Personnel/NEARI. After discussion, all Board Members, present, voted in favor of the Motion. Motion passed.

3. Case No. EE-3415A
State of RI – Community College of Rhode Island & Ponaganset Association of Educational Support Personnel/NEARI

The Union's Representative submitted a request to this Board for an amendment of the Certification of Representatives; hence, reflecting a name change from the Association of Clerical/Maintenance Technical Employees/NEARI/NEA to the Ponaganset Association of Educational Support Personnel/NEARI.

Upon review of all documentation submitted by the parties, a Motion was made by Frank Montanaro and seconded by Ellen Jordan to acknowledge and approve the amendment of the Certification of Representatives; thus, reflecting the name change of Ponaganset Association of Educational Support Personnel/NEARI. After discussion, all Board Members, present, voted in favor of the Motion. Motion passed.



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4. Case Nos. 04-4122/04-4142 and 05-1199/05-1243 (EE-2087)
Superior Court Decisions

After review of the Court's Decisions, a Motion was made by Frank Montanaro and seconded by Ellen Jordan that the above-entitled matter be reopened pursuant to the Decision and Order of the Court; and that the matter be placed on the next applicable monthly Board meeting for additional discussion after the Board's Attorney has had the opportunity to review the whole record; thus, to advise the Board as to how to proceed. After discussion, all Board Members, present, voted in favor of the Motion. Motion passed.

A Motion was made by Frank Montanaro for the Board to go into Closed Session for the purpose of reviewing the Unfair Labor Practice Charges and the Miscellaneous matters, 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 10:50 a.m.

The meeting resumed in open session at 10:55 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-6097
City of Pawtucket & Pawtucket Fraternal Order of Police, Lodge #4

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

2. Case No. ULP-6098
RI Department of Elementary and Secondary Education & RIDE Legal Counsel/Hearing Officer Professional Union

DETERMINATION: Matter dismissed with prejudice.



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3. Case No. ULP-6099
North Kingstown School Committee & North Kingstown ESPA/NEARI/NEARI

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

4. Case No. ULP-6102
Town of North Smithfield & RI Council 94, AFSCME, AFL-CIO

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

MISCELLANEOUS CASES:

1. Case No. ULP-6092
Chariho Regional School Committee & NEA Chariho (Motion)

DETERMINATION: Motion denied.

2. Appointment of Legal Counsel 7-1-13 to 6-30-14

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, 2013 to June 30, 2014.

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

VOTED: to adjourn the meeting at 11:00 a.m.