



# 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)

## OPEN MINUTES BOARD MEETING

**TIME:** 9:00 a.m.  
**DATE:** Tuesday, April 9, 2013  
**PLACE:** 1511 Pontiac Ave., Building #73, 2<sup>nd</sup> Floor, Cranston, RI 02920

**BOARD MEMBERS IN ATTENDANCE:** Walter Lanni  
Frank Montanaro  
Ellen Jordan  
Elizabeth Dolan  
Gerald Goldstein

**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 9:25 a.m.  
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All Board Members reviewed the Open Minutes of the February 12, 2013 Board Meeting. A Motion was made by Frank Montanaro and seconded by Gerry Goldstein to accept the Open Minutes as written, and it was unanimously

**VOTED:** by all Board Members to accept the minutes as written. Motion passed.  
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### CONSENT AGREEMENT & AFFIDAVIT MATTERS:

1. Case No. EE-1712  
City of Warwick & RI Council 94, AFSCME, AFL-CIO

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Gerry Goldstein seconded by Frank Montanaro to acknowledge and accept the parties' signed agreement; that the position(s) of **Fire Records Specialist and Probate Specialist** shall be and is hereby **accreted** into the bargaining unit as defined by Certification No. EE-17127. After discussion, all Board Members voted in favor of the Motion. Motion passed.



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2. Case No. EE-3611  
State of Rhode Island – Department of Corrections – Department for Children, Youth and Families & Rhode Island Brotherhood of Correctional Officers (Rhode Island Brotherhood of Correctional Officers)

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Frank Montanaro and seconded by Gerry Goldstein to acknowledge and accept the parties' signed agreement; that the position(s) of **Programming Services Officer (Rehabilitative Services Unit within the Department of Corrections)** shall be and is hereby **accreted** into the bargaining unit as defined by Certification No. EE-3611; and the position(s) of **Programming Services Officer (Office of the Director of the Department of Corrections)** shall be and is hereby **excluded** from the bargaining unit as defined by Certification No. EE-3611. After discussion, all Board Members voted in favor of the Motion. Motion passed.

## **CONCLUDED CASES:**

1. Case No. ULP-6074  
RI Board of Governors for Higher Education – Rhode Island College (RIC) & PSA@RIC

Walter Lanni, Frank Montanaro, Ellen Jordan, Elizabeth Dolan, John Capobianco, and Gerald Goldstein heard this matter formally, reviewed the transcript and briefs, as well as all the evidence submitted therein.

After review of the above-entitled matter, a Motion was made by Gerry Goldstein and seconded by Frank Montanaro to uphold the charge and find that the Employer had committed an Unfair Labor Practice; and that this matter be referred to the Board's Legal Counsel for drafting of the Decision and Order to that effect. After discussion, all Board Members voted in favor of the Motion. Motion passed.

## **MISCELLANEOUS CASES:**

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

After review of all the documentation submitted in the above-entitled matter, a Motion was made by Frank Montanaro and seconded by Elizabeth Dolan that the position of Director of User Support Services does share a Community of Interest with the existing bargaining unit; that the position shall be accreted within the Certification of Representatives, Case No. EE-2087; and that this matter be referred to the Board's Legal Counsel for drafting of the Decision and Order to that effect. After discussion, all Board Members voted in favor of the Motion. Motion passed.



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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. Gerry 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 10:15 a.m.

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The meeting resumed in open session at 10:20 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-6099  
North Kingstown School Committee & North Kingstown ESPA/NEARI/NEARI

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

2. Case No. ULP-6100  
Town of Barrington & International Brotherhood of Police Officers (IBPO), Local 351

**DETERMINATION:** Matter administratively dismissed.

3. Case No. ULP-6101  
Town of North Providence & RI Council 94, AFSCME, AFL-CIO

**DETERMINATION:** Matter administratively dismissed.

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.

5. Case No. ULP-6103  
State of Rhode Island – Community College of RI (CCRI) & Educational Support Professional Association of CCRI/NEARI

**DETERMINATION:** Matter administratively dismissed.



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## **MISCELLANEOUS MATTERS:**

1. Board discussion of various issues

**DETERMINATION:** Discussion took place only, no determinations were made.

2. Case No. ULP-6078  
Foster/Glocester Regional School Committee & NEAS Ponaganset/NEARI  
(Motion to Dismiss)

**DETERMINATION:** Motion denied.

3. Case No. ULP- 6098  
RI Department of Elementary and Secondary Education & RIDE Legal Counsel/Hearing  
Officer Professional Union (Request for Reconsideration)

**DETERMINATION:** Request denied.

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A Motion to adjourn was made by Ellen L. Jordan and seconded by Frank Montanaro, and it was unanimously,

**VOTED:** to adjourn the meeting at 10:25 a.m.