



# 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:** 2:30 p.m.  
**DATE:** Wednesday, September 25, 2013  
**PLACE:** 1511 Pontiac Ave., Building #73, 3<sup>rd</sup> Floor, Cranston, RI 02920

**BOARD MEMBERS IN ATTENDANCE:** Walter Lanni  
Frank Montanaro  
Gerald Goldstein  
Marcia B. Reback  
Scott G. Duhamel

**BOARD MEMBERS ABSENT:** Elizabeth S. Dolan  
Bruce A. Wolpert

**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 2:35 p.m.

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All Board Members present reviewed the amended Open Minutes of the July 31, 2013 Board Meeting. A Motion was made by Frank Montanaro and seconded by Scott G. Duhamel 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.

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**DRAFTED CASES:**

1. Case No. ULP- 6088 Town of North Kingstown & North Kingstown Fire Fighters, Local 1651, International Association of Fire Fighters (IAFF) (Elizabeth S. Dolan recused herself in this matter; Bruce A. Wolpert did not participate in this matter)

This case was heard formally by Walter Lanni, Frank Montanaro, John Capobianco, Ellen Jordan, and Gerald Goldstein. The aforementioned Board Members, as well as Marcia B. Reback, and Scott G. Duhamel reviewed the transcript(s) and briefs, as well as the evidence submitted therein.

After review of the drafted Decision, a Motion was made by Frank J. Montanaro and seconded by Gerald S. Goldstein to sign the signature page of the Decision and Order, and to refer the case back to the Administrator of the Board for final proofing; with the direction to issue the same as soon as possible, but no later than Friday, September 27, 2013.



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After discussion, all participating Board Members present voted in favor of the Motion and did sign the signature page of the Decision and Order, as written. Motion passed.

**ORDER:** 1) The Employer is hereby ordered to immediately restore the firefighters' schedule, hours of work, and hourly rate of pay to that which existed upon the expiration of the 2010-2011 contract year.

2) The Employer is hereby ordered, within sixty (60) days from the issuance of this order, to make all firefighters whole, monetarily, by paying to each and every firefighter, all wages that should have been paid at 2010-2011 regular, overtime, and holiday rates for all the hours the firefighters worked in excess of what they should have worked under the prior schedule of hours and rate of pay.

3) The funds owed to each firefighter under Paragraph 2 supra, shall bear interest at the rate of 12% per annum, running from the date of filing of this charge, to wit, June 14, 2012 through the date of payment.

4) The Employer is hereby ordered, within sixty (60) days from the issuance of this order, to make all firefighters whole, monetarily, by paying to each and every firefighter, any and all payments concerning clothing allowances, tuition reimbursement, or any other item that was contained in the 2010-2011 contract and that was unilaterally discontinued by the Town, if any.

5) The Employer is hereby ordered to participate in Interest Arbitration for the 2011-2012 fiscal year, provided however, that this requirement shall come into existence only if and when the Rhode Island Supreme Court overturns Judge Stern's decision finding a waiver of the Union's right to interest arbitration for the 2011-2012 year.

6) The Employer is hereby ordered to restore and then maintain the status quo on all terms and conditions of employment that existed in the 2010-2011 collective bargaining agreement, until such time as a change has either been mutually agreed to by the Employer and Union or until an interest arbitration panel's award for 2011-2012 or any subsequent year has been issued and not overturned by the Rhode Island Supreme Court, whichever comes first.

7) The Employer is hereby ordered to cease and desist from unilaterally implementing, at any time henceforth, any changes to the wages, rates of pay, hours, working conditions, or other terms and conditions of employment of the employees represented by the Union.

8) The Employer is hereby ordered to post a copy of this decision on all common area bulletin boards within its municipal buildings and on its website for a period no less than sixty (60) days; and to mail, via U.S. postal service, an actual physical copy of this decision to every firefighter employed by the Town of North Kingstown and any other employee represented by the Union in this case.



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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A Motion to adjourn was made by Marcia B. Reback and seconded by Scott G. Duhamel, and it was unanimously,

**VOTED:** to adjourn the meeting at 3:15 p.m.