



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 SPECIAL BOARD MEETING

TIME: 4:00 p.m.
DATE: Friday, January 17, 2014
PLACE: 1511 Pontiac Ave., Building #73, 2nd Floor, Cranston, RI 02920

BOARD MEMBERS IN ATTENDANCE: Walter Lanni
Frank Montanaro
Gerald S. 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 Hogan, Esq.

Chairman Lanni called the meeting to order in Open Session at 4:00 p.m.

DRAFTED CASES:

1. Case No. ULP-6086
RI Board of Governors for Higher Education & University of Rhode Island Chapter of American Association of University Professors (AAUP) (**Review of Drafted Decision and Order**)

The aforementioned matter was set down for review and determination at the January 14, 2013 Board Meeting. The Board had voted in favor of signing the drafted Decision and Order, as written. As part of the Motion, it was determined that the Decision and Order would be submitted 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, January 17, 2014. Upon review of the "Order" section of the Decision and Order, the Administrator found that remedies, which had been discussed on July 31, 2013, but not voted on when the Board voted to uphold this matter and sign as written, had not been included in the original drafted Order. After review and discussion of the issue with the Board's Attorney, Attorney Hogan requested that the Board reconvene to discuss the remedies, and as to whether the Board wanted to leave the Decision and Order as drafted, or include the remedies, which were discussed when the concluded case was upheld. This matter was posted in accordance with the Open Meetings Act and scheduled for Friday, January 17, 2014 at 4:00 p.m.



Rhode Island State Labor Relations Board

1511 Pontiac Avenue
Building 73, 2nd floor
Cranston, Rhode Island 02920-4407
Website: www.dlt.ri.gov/lrb

Page 2
Open Minutes
Board Meeting 1/17/14

A Motion was made by Frank J. Montanaro and seconded by Marcia B. Reback to reconsider the Decision and Order remedies as determined on January 14, 2014. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

After review of the pending issue, a Motion was made by Frank J. Montanaro and seconded by Gerald S. Goldstein to amend the Decision and Order to reflect the following additional remedies within the Order section of the Decision and Order, to wit: 1) The Employer is hereby ordered to pay the Union's costs, including any attorney's fees it may have incurred, as a result of its failure to take the ratification vote on March 19, 2012, including the costs of prosecuting this unfair labor practice charge; and 2) The Employer is hereby ordered to post a copy of the Decision and Order on all common area bulletin boards within the Department for a period of no less than sixty (60) days. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

A Motion was then made by Scott G. Duhamel and seconded by Marcia B. Reback to extend the deadline for issuance of the Decision and Order from Friday, January 14, 2014 to Wednesday, January 22, 2014; thus, allowing the matter to be referred 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 Wednesday, January 22, 2014. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

This case was heard formally by Walter Lanni, Frank Montanaro, Ellen Jordan, Gerald S. Goldstein, and Elizabeth S. Dolan. 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 Scott G. Duhamel to sign the Decision and Order, as written, 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 Wednesday, January 22, 2014. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

ORDER: 1) The Employer is hereby ordered to cease and desist from costing out its proposals after authorizing its Negotiator to offer the same and to recommence good faith bargaining with the Union, herein, for a successor Collective Bargaining Agreement.

2) The Employer is hereby ordered to pay the Union's costs, including any attorney's fees it may have incurred, as a result of its failure to take the ratification vote on March 19, 2012, including the costs of prosecuting this unfair labor practice charge.



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

Page 3
Open Minutes
Board Meeting 1/17/14

3) The Employer is hereby ordered to post a copy of the Decision and Order on all common area bulletin boards within the Department for a period of no less than sixty (60) days.

A Motion to adjourn was made by Scott G. Duhamel and seconded by Frank Montanaro, and it was unanimously,

VOTED: to adjourn the meeting at 4:25 p.m.