



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

CLOSED MINUTES BOARD MEETING

TIME: 9:00 A.M.
DATE: Tuesday, June 25, 2015
PLACE: 1511 Pontiac Ave., Building #73, 3rd Floor, Cranston, RI 02920

BOARD MEMBERS IN ATTENDANCE: Walter Lanni
Frank Montanaro
Marcia B. Reback
Scott G. Duhamel
Aronda Kirby
Harry F. Winthrop

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 9:10 a.m.

All Board Members reviewed the Closed Minutes of the May 19, 2015 Board Meeting. A Motion was made by Frank J. Montanaro and seconded by Scott G. Duhamel to accept the Closed Minutes as written, and it was

VOTED: by all Board Members to accept the minutes as written. Motion passed.

UNFAIR LABOR PRACTICE CHARGES:

1. Case No. ULP-6158
RI Board Council on Elementary and Secondary Education/RI Department of Education & RIDE Legal Counsel/Hearing Officer Professional Union

Upon review of the aforementioned matter, the Board determined that this matter shall be held until the conclusion of the Miscellaneous Matters, to wit: Litigation Matter – PC14-2730, as that determination will set the tone as to how to proceed with this current matter. A Motion was made by Marcia B. Reback and seconded by Aronda Kirby to hold the matter until the conclusion of the Miscellaneous Matters. After discussion, all Board Members voted in favor of the Motion. Motion passed.



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Board Member, Scott G. Duhamel, left the Board Meeting at 9:55 a.m.

2. Case No. ULP- 6161
North Smithfield School Committee & North Smithfield Education Association/National Education Association of RI (NEARI)

After review of the informal notes in this matter, a Motion was made by Harry F. Winthrop and seconded by Marcia B. Reback to administratively dismiss the aforementioned matter. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

MISCELLEANOUS MATTERS:

1. Litigation: Town of North Kingstown & International Association of Fire Fighters (IAFF),
Local 1651
(Settlement Agreement – reversal and vacate of Decision and Order)

A Motion to sign the Order Vacating Final Decision was made by Frank J. Montanaro and seconded by Marcia B. Reback, and to refer the matter back to the Administrator of the Board for final proofing; with the direction to issue the same as soon as possible.. After discussion, Walter J. Lanni, Frank J. Montanaro, and Marcia B. Reback signed the Order as written. Scott G. Duhamel was not present to sign the Order. New Board Members, Aronda Kirby and Harry F. Winthrop did not participate in this matter. Motion passed.

2. Litigation: PC14-2730 (EE-3729) RI Board Council on Elementary and Secondary Education/
RI Department of Education & RIDE Legal Counsel/Hearing Officer Professional
Union **(Remand)**

A Motion was made by Marcia B. Reback and seconded by Frank J. Montanaro that the position of Hearing Officer/Legal Counsel does not meet the criteria of managerial; that there is enough evidence to that determination; and that the parties should not be permitted to enter any further evidence or briefs on the matter. After discussion, all Board Members present voted in favor of the Motion. Motion passed.



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UNFAIR LABOR PRACTICE CHARGES:

1. Case No. ULP-6158
RI Board Council on Elementary and Secondary Education/RI Department of Education & RIDE Legal Counsel/Hearing Officer Professional Union

After further review of this matter, a Motion was made by Marcia B. Reback and seconded by Frank J. Montanaro, to table the matter pending the final Order for Remand by the Superior Court in the appealed Election matter, PC14-2730 (EE-3729). After discussion, all Board Members present voted in favor of the Motion. Motion passed.

A Motion was then made by Marcia B. Reback and seconded by Harry F. Winthrop to resume the meeting in open session for the purposes of reading into the minutes the determinations made by the Board in Closed Session, discussion of the Miscellaneous Matters – Litigation, to review the Drafted Matter, as well as adjournment. After discussion, it was unanimously

VOTED: by the Board Members present to resume the meeting in Open Session at 10:10 a.m.
