



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# Rhode Island State Labor Relations Board

1511 Pontiac Avenue  
Building 73, 2<sup>nd</sup> floor  
Cranston, Rhode Island 02920-4407  
Website: [www.rislrp.ri.gov](http://www.rislrp.ri.gov)

## OPEN MINUTES BOARD MEETING

**TIME:** 9:00 A.M.  
**DATE:** Tuesday, October 13, 2015  
**PLACE:** 1511 Pontiac Ave., Building #73, 2<sup>nd</sup> Floor, Cranston, RI 02920

**BOARD MEMBERS IN ATTENDANCE:** Walter J. Lanni  
Frank J. Montanaro  
Marcia B. Reback  
Scott G. Duhamel  
Aronda R. Kirby  
Harry F. Winthrop  
Alberto Aponte Cardona

**OTHERS PRESENT:** Robyn H. Golden, Administrator  
Lisa L. Ribezzo, Labor Board Case Agent  
Margaret Hogan, Esq.

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Chairman Lanni called the meeting to order in Open Session at 9:10 a.m.  
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All Board Members reviewed the Open Minutes of the August 25, 2015 Board Meeting. A Motion was made by Marcia B. Reback and seconded by Frank J. Montanaro to accept the Open Minutes as written, and it was

**VOTED:** by all Board Members to accept the minutes as written. Motion passed.  
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### ~~DRAFTED CASES:~~ CONCLUDED CASES:

Upon review of the Agenda, it was so noted that the header for the aforementioned section, Drafted Cases, was a scripter error; the header should have read Concluded Cases. A Motion was made by Aronda R. Kirby and seconded by Frank J. Montanaro to amend the Agenda header to reflect the correction. After discussion all Board Members voted in favor of the Motion. Motion passed.

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1. Case No. ULP-6159  
West Warwick Housing Authority & RI Council 94, AFSCME, AFL-CIO

Walter J. Lanni, Frank J. Montanaro, Marcia B. Reback, Aronda R. Kirby, Harry F. Winthrop and Alberto Aponte Cardona heard this matter formally. All Board Members reviewed the transcript(s) and briefs, as well as the evidence submitted therein.

After review of the above-entitled matter, a preliminary Motion was made by Harry F. Winthrop and seconded by Aronda Kirby to dismiss the Complaint; and that this matter be referred to the Board's Legal Counsel for drafting of the Decision and Order to that effect. After discussion, Aronda R. Kirby and Harry F. Winthrop voted in favor of the Motion. Walter J. Lanni, Frank J. Montanaro, Marcia B. Reback, Scott G. Duhamel, and Alberto Aponte Cardona voted in opposition to this matter. Motion failed.

Subsequently, a preliminary Motion was made by Marcia B. Reback and seconded by Alberto Aponte Cardona to uphold all three (3) violations as stated in the Complaint of the matter; and that this matter be referred to the Board's Legal Counsel for drafting of the Decision and Order to that effect. After discussion, Walter J. Lanni, Frank J. Montanaro, Marcia B. Reback, Scott G. Duhamel, and Alberto Aponte Cardona voted in favor of the Motion. Aronda R. Kirby and Harry F. Winthrop voted in opposition to this matter. Matter passed.

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A Motion was then made by Marcia B. Reback for the Board to go into Closed Session for the purpose of reviewing the Closed Minutes, and Unfair Labor Practice Cases, pursuant to R.I.G.L. 42-46-5(a) (2) (4) of the Open Meetings Law. Frank J. Montanaro seconded the Motion and it was unanimously

**VOTED:** by all Board Members for the meeting to go into closed session and to close the minutes.

The meeting and minutes were closed at 9:55 a.m.

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The meeting resumed in open session at 10:00 a.m. for the purposes of reading into the minutes, the determinations made by the Board in Closed Session.  
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## **UNFAIR LABOR PRACTICE CASES:**

1. Case No. ULP-6164  
Town of North Kingstown & International Brotherhood of Police Officers (IBPO) Local 473

**DETERMINATION:** A Motion was made by Marcia B. Reback and seconded by Scott G. Duhamel to uphold the charge, issue a Complaint, and proceed to formal hearing. Motion passed unanimously.

2. Case No. ULP-6165  
Town of West Warwick & RI Council 94, AFSCME, AFL-CIO

**DETERMINATION:** A Motion was made by Marcia B. Reback and seconded by Scott G. Duhamel to uphold the charge, issue a Complaint, and proceed to formal hearing. Motion passed unanimously.

3. Case No. ULP-6166  
Town of West Warwick & RI Council 94, AFSCME, AFL-CIO

**DETERMINATION:** A Motion was made by Aronda R. Kirby and seconded by Harry F. Winthrop to administratively dismiss the above-entitled matter. After discussion, Walter J. Lanni, Marcia B. Reback, Aronda R. Kirby, Harry F. Winthrop, and Alberto Aponte Cardona voted in favor of the Motion. Frank J. Montanaro and Scott G. Duhamel voted in opposition of the Motion. Motion passed.

4. Case No. ULP-6167  
City of Cranston & International Brotherhood of Police Officers (IBPO), Local 301

**DETERMINATION:** A Motion was made by Marcia B. Reback and seconded by Scott G. Duhamel to uphold the charge, issue a Complaint, and proceed to formal hearing. Motion passed unanimously.



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5. Case No. ULP-6168  
Newport School Committee and Teachers' Association of Newport/National Education Association of RI (NEARI)

**DETERMINATION:** A Motion was made by Harry F. Winthrop and seconded by Alberto Aponte Cardona to administratively dismiss the above-entitled matter. After discussion, Walter J. Lanni, Aronda R. Kirby, Harry F. Winthrop, and Alberto Aponte Cardona voted in favor of the Motion. Frank J. Montanaro, Marcia B. Reback, and Scott G. Duhamel voted in opposition of the Motion. Motion passed.

6. Case No. ULP-6169  
Cumberland School Committee and Cumberland Teachers' Association/National Education Association of RI (NEARI)

**DETERMINATION:** A Motion was made by Marcia B. Reback and seconded by Frank J. Montanaro to uphold the charge, issue a Complaint, and proceed to formal hearing. After discussion, Walter J. Lanni, Frank J. Montanaro, Marcia B. Reback, Scott G. Duhamel, and Harry F. Winthrop voted in favor of the Motion. Aronda R. Kirby and Alberto Aponte Cardona voted in opposition of the Motion. Motion passed.

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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 10:05 a.m.