



Rhode Island State Labor Relations Board

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

OPEN MINUTES BOARD MEETING

TIME: 9:00 A.M.
DATE: Tuesday, October 25, 2016
PLACE: 1511 Pontiac Ave., Building #73, 3rd 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.

Chairman Lanni called the meeting to order in Open Session at 9:10 a.m.

All Board Members reviewed the Open Minutes of the September 13, 2016 Board Meeting. A Motion was made by Marcia B. Reback and seconded by Aronda R. Kirby to accept the Open Minutes as written, and it was

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

REPRESENTATION CASES:

1. Case No. EE-3740
The Paul Cuffee School & National Education Association of RI (NEARI)
(Motion to Dismiss)

After review of all the documentation submitted by the parties, a Motion was made by Aronda R. Kirby and seconded by Scott G. Duhamel to uphold the Employer's Motion to Dismiss. After discussion, all Board Members voted in favor of the Motion. Motion passed.



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CONSENT AGREEMENT & AFFIDAVIT CASES:

1. Case No. EE-3211
Town of South Kingstown & RI Council 94, AFSCME, AFL-CIO
(Driver/Dispatcher)

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Marcia B. Reback and seconded by Frank J. Montanaro to acknowledge and accept the parties' signed Agreement; that the position(s) of **Driver/Dispatcher** shall be and is hereby accreted into the bargaining unit as defined by Certification of Representatives Case No. EE-3211. After discussion, all Board Members voted in favor of the Motion. Motion passed.

2. Case No. EE- 3575
State of Rhode Island – Department of Health & Department of Health Professional Staff Association /NEARI **(Health Program Administrator – Position No. 110280601.01 – Marissa Silva)**

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Harry F. Winthrop and seconded by Aronda R. Kirby to acknowledge and accept the parties' signed Agreement; that the position(s) of **Health Program Administrator – Position No. 110280601.01 – Marissa Silva** shall be and is hereby accreted into the bargaining unit as defined by Certification of Representatives Case No. EE-3575. After discussion, all Board Members voted in favor of the Motion. Motion passed.

3. Case No. EE- 3039-3042
City of Providence & RI Labor's District Council, Local 1033 **(Various Positions)**

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Harry F. Winthrop and seconded by Aronda R. Kirby to acknowledge and accept the parties' signed Agreement; that the position(s) of **Aide to Chief Engineer (Ti-Ondra Gomes); Aide to Chief Engineer (David Romano); Engineer (Peter McDougall); Forest Supervisor (Christopher Riley); Senior Administrative Assistant (Phillip Matheson); Supervisor – Waterplant Operations (Hugo DeAscentis); Supervisor of Accounting (Alicia Mignanelli)** shall be and is hereby accreted into the bargaining unit as defined by Certification of Representatives Case No. EE-3039-3042. After discussion, all Board Members voted in favor of the Motion. Motion passed.



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CONCLUDED CASES:

1. Case No. EE-2068
West Warwick Housing Authority & RI Council 94, AFSCME, AFL-CIO
(Employer's Case) (Motion to Dismiss)

After review and further discussion of the aforementioned matter, a Motion was made by Frank J. Montanaro and seconded by Marcia B. Reback to go forward with the Formal Hearing process on October 27, 2016; to order briefs by the parties in regard to whether a contract bar exists or not; and to commence an investigation by the Board's Agent in regard to determination of the said unit. After discussion, all Board Members voted in favor the Motion. Motion passed.

Subsequently, a Motion was made by Marcia B. Reback and seconded by Frank J. Montanaro to table the matter until the conclusion of the investigative process. After discussion, all Board Members voted in favor the Motion. Motion passed.

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 Charges, pursuant to R.I.G.L. § 42-46-5(a) (2) (4) of the Open Meetings Law. Aronda R. Kirby 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 10:10 a.m.

The meeting resumed in open session at 10:25 a.m. for the purposes of reading into the minutes, the determinations made by the Board in Closed Session, as well as adjourning the monthly Board meeting.

UNFAIR LABOR PRACTICE CHARGES:

1. Case No.ULP-6187
RI Counsel on Post-Secondary Education/CCRI & Community College of RI Faculty Association

DETERMINATION: A Motion was made by Frank J. Montanaro and seconded by Harry F. Winthrop to administratively dismiss the above-entitled matter. After discussion, all Board Members voted in favor of the Motion. Motion passed.



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2. Case No.ULP-6188
Newport County Regional Special Educational Program & NEA Newport County Regional

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, all Board Members voted in favor of the Motion. Motion passed.

3. Case No.ULP-6189
Town of South Kingstown & South Kingstown Municipal Employees' Association/NEARI

DETERMINATION: A Motion was made by Frank J. Montanaro and seconded by Marcia B. Reback 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 Aronda R. Kirby voted in favor of the Motion. Harry F. Winthrop and Alberto Aponte Cardona opposed the Motion. Motion passed.

4. Case No.ULP-6190
Town of Coventry & RI Council 94, AFSCME, AFL-CIO

DETERMINATION: Motion was passed at the request of the Union - matter placed in abeyance status.

CLOSED MINUTES:

1. December 11, 2012; August 28, 2014; November 24, 2015; January 12, 2016;
February 23, 2016; April 26, 2016; July 5, 2016 (**To be opened and posted**)

DETERMINATION: A Motion was by Aronda R. Kirby and seconded by Marcia B. Reback to open and post the above-noted Closed Minutes. After discussion, all Board Members voted in favor of the Motion. Motion passed.

A Motion to adjourn was made by Aronda R. Kirby seconded by Scott G. Duhamel and it was unanimously,

VOTED: to adjourn the meeting at 10:30 a.m.