



Rhode Island State Labor Relations Board

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

OPEN MINUTES BOARD MEETING

TIME: 9:00 A.M.
DATE: Tuesday, June 14, 2016
PLACE: 1511 Pontiac Ave., Building #73, 2nd 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 May 10, 2016 Board Meeting. A Motion was made by Aronda R. Kirby and seconded by Harry F. Winthrop to accept the Open Minutes as written, and it was

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

CONSENT AGREEMENT & AFFIDAVIT CASES:

1. Case No. EE-3039-3042
City of Providence & RI Laborers' District Council, Local 1033
(Administrative Assistant Constituent Services)

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Frank J. Montanaro and seconded by Alberto Aponte Cardona to acknowledge and accept the parties' signed Agreement; that the position(s) of **Administrative Assistant Constituent Services**, shall be and is hereby accreted into the bargaining unit as defined by Certification No. EE-3039-3042. After discussion, all Board Members voted in favor of the Motion. Motion passed.



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2. Case No. EE-3039-3042
City of Providence & RI Laborers' District Council, Local 1033
(Special Projects Manager/Project Coordinator)

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Frank J. Montanaro and seconded by Alberto Aponte Cardona to acknowledge and accept the parties' signed Agreement; that the position(s) of **Special Projects Manager/Project Coordinator**, shall be and is hereby accreted into the bargaining unit as defined by Certification No. EE-3039-3042. After discussion, all Board Members voted in favor of the Motion. Motion passed.

DECERTIFICATION CASES:

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

A Motion was made by Aronda R. Kirby and seconded by Alberto Aponte Cardona to table the above-entitled matter to the next applicable monthly Board Meeting Agenda. After discussion, all Board Members voted in favor of the Motion. Motion passed.

CONCLUDED CASES:

1. Case No. ULP-6178
West Warwick Housing Authority & RI Council 94, AFSCME, AFL-CIO

After review of the above-entitled matter, a preliminary Motion was made by Frank J. Montanaro and seconded by Marcia B. Reback to uphold the violation 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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DECISION AND ORDER CASES:

1. Case No. ULP- 6171
Town of Johnston & International Brotherhood of Police Officers, (IBPO), Local 307

Walter J. Lanni, Frank J. Montanaro, Marcia B. Reback, Aronda 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 drafted Decision and Order, a Motion was made by Marcia B. Reback 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. After discussion, Walter J. Lanni, Frank J. Montanaro, Marcia B. Reback, Scott G. Duhamel, Harry F. Winthrop, and Alberto Aponte Cardona voted in favor of the Motion and did sign the signature page of the Decision and Order, as written. Aronda R. Kirby abstained from voting in this matter. Motion passed.

ORDER: 1) The Employer is hereby ordered to execute the CBA proffered by the Union for the period of July 1, 2013 through June 30, 2014. 2) The Employer is hereby ordered to execute the CBA proffered by the Union for the period of July 1, 2014 through June 30, 2017. 3) The Employer is hereby ordered to pay the legal fees of the Union for its prosecution of this Complaint. 4) The Employer is hereby ordered to post a copy of this Decision & Order on its website and to physically post a paper copy on all common area bulletin boards in its municipal buildings.

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

A Motion was made by Aronda R. Kirby and seconded by Alberto Aponte Cardona to table the above-entitled matter to the next applicable monthly Board Meeting Agenda. After discussion, all Board Members voted in favor of the Motion. Motion passed.

3. Case No. ULP- 6175
Town of Johnston & International Brotherhood of Police Officers, (IBPO), Local 307
(Employer's Case)

Walter J. Lanni, Frank J. Montanaro, Marcia B. Reback, Aronda 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.



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After review of the drafted Decision and Order, a Motion was made by Marcia B. Reback 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. After discussion, all Board Members voted in favor of the Motion and did sign the signature page of the Decision and Order, as written. Motion passed.

ORDER: The Complaint in this matter is hereby dismissed.

4. Case No. ULP-6176
Warwick School Committee & Warwick Teachers' Union, American Federation of Teachers (AFT), Local 915

NOTE: The parties submitted a Consent Agreement & Affidavit stipulating to the facts of the matter in lieu of the formal hearing process. Accordingly, all Board Members reviewed the briefs, as well as the evidence submitted therein.

After review of the drafted Decision and Order, a Motion was made by Marcia B. Reback and seconded by Frank J. Montanaro 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. After discussion, Walter J. Lanni, Frank J. Montanaro, Marcia B. Reback, Scott G. Duhamel, Harry F. Winthrop, and Alberto Aponte Cardona voted in favor of the Motion and did sign the signature page of the Decision and Order, as written. Aronda R. Kirby voted in favor of the Motion; however, stated that she would dissent in response to the Board's Remedy #2 in this matter. Motion passed.

ORDER: 1) The Employer is hereby ordered to cease and desist from refusing to participate in the processing of grievances, including proceeding to arbitration. 2) The Employer is hereby ordered to pay the Union's reasonable attorney's fees and costs associated with the prosecution of this ULP. 3) The Employer is hereby ordered to post a copy of this Decision & Order on all common area bulletin boards, within its buildings and its website, for a period of no less than sixty (60) days; and to mail a copy of this decision to every member of the bargaining unit that retired since December 7, 2015.

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. Scott G. Duhamel 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.



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The meeting and minutes were closed at 10:00 a.m.

The meeting resumed in open session at 10:05 a.m. for the purposes of reading into the minutes, the determinations made by the Board in Closed Session.

UNFAIR LABOR PRACTICE CHARGES:

1. Case No. ULP-6183
Town of North Providence & Fraternal Order of Police, Lodge 13
(Board Member, Alberto Aponte Cardona, recused himself in this matter)

DETERMINATION: A Motion was made by Marcia B. Reback and seconded by Frank J. Montanaro to uphold the matter and issue a Complaint, and proceed to formal hearing. All Board Members voted in favor of the Motion. Motion passed.

A Motion to adjourn was made by Marcia B. Reback and seconded by Aronda R. Kirby and it was unanimously,

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