



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, March 20, 2018
PLACE: 1511 Pontiac Ave., Building #73, 3rd Floor, Cranston, RI 02920

BOARD MEMBERS IN ATTENDANCE: Walter J. Lanni
Marcia B. Reback
Scott G. Duhamel
Aronda R. Kirby – **Arrived at 9:25 a.m.**
Kenneth B. Chiavarini, Esq.
Derek M. Silva

BOARD MEMBERS ABSENT: Alberto Aponte Cardona

OTHERS PRESENT: Robyn H. Golden, Administrator
Ellen Jordan, Esq.

Chairman Lanni called the meeting to order in Open Session at 9:15 A.M.

All Board Members reviewed the Open Minutes of the February 22, 2018 Board Meeting. A Motion was made by Marcia B. Reback and seconded by Scott G. Duhamel to accept the Open Minutes as written, and it was

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

CONSENT AGREEMENT & AFFIDAVIT CASES:

1. Case No. EE-3114
State of Rhode Island - Department of Human Services - Division of Elderly Affairs &
RI Council 94, AFSCME, AFL-CIO (**Community Relations Liaison Officer**)

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Kenneth B. Chiavarini and seconded by Marcia B. Reback to acknowledge and accept the parties' signed Consent Agreement and Affidavit. Accordingly, the position of **Community Relations Liaison Officer** shall be accreted into the bargaining unit as defined in Certification of Representatives – Case No. EE-3114. After discussion, all Board Members present voted in favor of the Motion. Motion passed.



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2. Case No. EE-3167
Providence School Committee & RI Laborers' District Council, Local 1033
(Budget Coordinator)
(Board Member, Kenneth B. Chiavarini, has recused himself from participation in this matter)

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 Scott G. Duhamel to acknowledge and accept the parties' signed Consent Agreement and Affidavit. Accordingly, the position of **Budget Coordinator** shall be accreted into the bargaining unit as defined in Certification of Representatives – Case No. EE-3167. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

CONCLUDED CASES:

1. Case No. ULP-6206
Providence School Department & RI Council 94, AFSCME, AFL-CIO
(Board Member, Kenneth B. Chiavarini, has recused himself from participation in this Matter)

Walter J. Lanni, Marcia B. Reback, Scott G. Duhamel, Aronda R. Kirby, 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 Marcia B. Reback and seconded by Scott G. Duhamel to uphold the violation as it relates to Section 28-7-13 (6) (7) and (10) and find that the Employer had committed an Unfair Labor Practice; and that this matter be referred to the Board's Legal Counsel for drafting of the Decision and Order to that effect. After discussion, all Board Members present voted in favor of the Motion. Matter passed.

- 2 Case No. ULP-6207
Providence School Department & RI Council 94, AFSCME, AFL-CIO
(Board Member, Kenneth B. Chiavarini, has recused himself from participation in this matter)

Walter J. Lanni, Marcia B. Reback, Scott G. Duhamel, and Aronda R. Kirby 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 above-entitled matter, a preliminary Motion was made by Marcia B. Reback and seconded by Scott G. Duhamel to uphold the violation as it relates to Section 28-7-13 (1) (3) and (10) and find that the Employer had committed an Unfair Labor Practice; and that this matter be referred to the Board's Legal Counsel for drafting of the Decision and Order to that effect. After discussion, all Board Members present voted in favor of the Motion. Matter passed.

(Board Member, Aronda R. Kirby, arrived at 9:25 a.m., after the aforementioned matter was discussed; accordingly, Ms. Kirby abstained from participation in the matter.)

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, Unfair Labor Practice Charges, and Miscellaneous Matters, pursuant to R.I. Gen. Laws §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 present for the meeting to go into closed session and to close the minutes.

The meeting and minutes were closed at 9:35 a.m.

The meeting resumed in open session at 9:40 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 PRACTICES:

1. Case No. ULP- 6209
Community College of Rhode Island & Community College of Rhode Island Educational Support Professional Association/NEARI/NEA

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. After discussion, Walter J. Lanni, Marcia B. Reback, Scott G. Duhamel, and Derek M. Silva voted in favor of the Motion. Aronda R. Kirby and Kenneth B. Chiavarini opposed the Motion. Motion passed.



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2. Case No. ULP- 6211
Community College of Rhode Island & Community College of Rhode Island Educational Support Professional Association/NEARI/NEA

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. After discussion, Walter J. Lanni, Marcia B. Reback, Scott G. Duhamel, and Derek M. Silva voted in favor of the Motion. Aronda R. Kirby and Kenneth B. Chiavarini opposed the Motion. Motion passed.

3. Case No. ULP- 6214
RI Council on Post-Secondary Education & Community College of Rhode Island
PTFA/NEARI/NEA/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. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

MISCELLANEOUS MATTERS:

1. Closed Minutes: November 22, 2016; January 17., 2017; February 20, 2017
(To be opened and posted)

DETERMINATION: A Motion was made by Aronda R. Kirby and seconded by Marcia B. Reback, to open and publish the closed minutes from the above-mentioned closed Board Meeting(s). After discussion, all Board Members present voted in favor of the Motion. Motion passed.

A Motion to adjourn was made by Kenneth B. Chiavarini and seconded by Scott G. Duhamel and it was unanimously,

VOTED: to adjourn the meeting at 9:45 a.m.