



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, May 17, 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
Alberto Aponte Cardona
Kenneth B. Chiavarini, Esq.
Derek M. Silva

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 March 20, 2018 Board Meeting. A Motion was made by Marcia B. Reback and seconded by Scott G. Duhamel to accept the Open Minutes with an amendment to be made on page 2; thus, to correct a spelling error, and it was

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

CERTIFICATION OF REPRESENTATIVES MATTERS:

1. Case No. EE-3418
State of Rhode Island – Department of Administration – Division of Sheriffs & RI Council 94, AFSCME, AFL-CIO (**Name Change**)

After review of the correspondence submitted by George Rinaldi, Esq., representing the Department of Administration Supervisors - Division of Sheriffs, referencing a request for a name change of said Employer, a Motion was made by Aronda R. Kirby and seconded by Marcia B. Reback to acknowledge and accept the Employer's request; thus, amending the current Certification of Representatives to reflect the identity change of the Employer to read: State of Rhode Island - Department of Public Safety – Division of Sheriffs, to be reflected within the Certification of Representatives, Case Number EE-3418A. After discussion, all Board Members voted in favor of the Motion. Motion passed.



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DRAFTED 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)

This case was heard formally by Walter Lanni, Marcia B. Reback, Scott G. Duhamel, Aronda R. Kirby, and Alberto Aponte Cardona. All participating Board Members reviewed the transcript(s) and briefs, as well as the evidence submitted therein.

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

ORDER: 1) The Employer is hereby ordered to cease and desist from refusing to bargain collectively with the Union. 2) The Employer is hereby ordered to post a copy of this Decision and Order on all common area bulletin boards within the Providence School buildings and its website for a period of no less than 60 days.

- 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)

A Motion was made Marcia B. Reback and seconded by Scott G. Duhamel to table this matter until the next applicable monthly Board Meeting. After discussion, all participating Board Members voted in favor of the Motion. Motion passed.

A Motion was then made by Scott G. Duhamel 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. Gen. Laws §42-46-5(a) (2) (4) of the Open Meetings Law. Alberto Aponte Cardona 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 9:25 a.m.

The meeting resumed in open session at 9:35 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- 6213
Warwick School Committee & Warwick Teachers' Union, AFT, Local 915

DETERMINATION: A Motion was made by Aronda R. Kirby and seconded by Kenneth B. Chiavarini to administratively dismiss the aforementioned matter. After discussion, Aronda R. Kirby, Alberto Aponte Cardona and Kenneth B. Chiavarini voted in favor of the Motion. Walter J. Lanni, Marcia B. Reback, Scott G. Duhamel, and Derek M. Silva opposed the Motion. Motion failed.

Subsequently, a Motion was made by Scott G. Duhamel and seconded by Marcia B. Reback 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, Alberto Aponte Cardona, and Kenneth B. Chiavarini opposed the Motion. Motion passed.

2. Case No. ULP- 6216
Donald W. Wyatt Detention Center & Fraternal Order of Police, Lodge 50

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 voted in favor of the Motion. Motion passed.

3. Case No. ULP- 6217
Town of East Greenwich & East Greenwich Fire Fighter's Association, Local 3328,
IAFF, AFL-CIO

DETERMINATION: A Motion was made by Marcia B. Reback and seconded by Aronda R. Kirby 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.



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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4. Case No. ULP- 6219
Newport School Committee & Teachers' Association of Newport/ 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, all Board Members 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 9:40 a.m.