



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:** Monday, February 4, 2019  
**PLACE:** 1511 Pontiac Ave., Building #73, 3<sup>rd</sup> Floor, Cranston, RI 02920

**BOARD MEMBERS IN ATTENDANCE:** Walter J. Lanni  
Marcia B. Reback  
Scott G. Duhamel  
Alberto Aponte Cardona  
Kenneth B. Chiavarini  
Derek M. Silva

**BOARD MEMBERS ABSENT:** Aronda R. Kirby

**OTHERS PRESENT:** Robyn H. Golden, Administrator  
Lisa L. Ribezzo, Agent of the Board  
Jeffrey W. Kasle, Esq.

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

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All Board Members reviewed the Open Minutes of the January 3, 2019 Board Meeting. A Motion was made by Marcia B. Reback and seconded by Alberto Aponte Cardona to accept the Open Minutes as written, and it was

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

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### DECISION & ORDER MATTERS:

1. Case No. ULP-6221/ ULP-6225  
Town of North Providence & RI Laborers' District Council, Local 1033  
**(Board member, Alberto Aponte Cardona, is recused from participation in this matter)**

Prior to review of the aforementioned matter, a Motion was made by Kenneth B. Chiavarini and seconded by Derek M. Silva to hold this matter to the end of the Board Agenda, as Board Member Alberto Aponte Cardona is recused in this matter; thus, allowing Mr. Cardona to participate in the remainder of the Agenda prior to leaving the meeting. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

Telephone: (401) 462-8830

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## **MISCELLANEOUS MATTERS:**

1. Rhode Island Ethics Commission Advisory Opinion No. 2018-55

This matter was placed on the Board's Agenda for informational purposes only. No determinations were made on this matter.

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A Motion was 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 the Miscellaneous Matters pursuant to R.I. Gen. Laws §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 present for the meeting to go into closed session and to seal the minutes.

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

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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, the Decision and Order Matters held previously, as well as adjourning the monthly Board meeting.

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## **REVIEW OF CLOSED MINUTES:**

1. Minutes of January 3, 2019

**DETERMINATION:** A Motion was made by Kenneth B. Chiavarini and seconded by Scott G. Duhamel to accept and seal the Closed Minutes as written, and it was voted by all Board Members present to accept the minutes as written. Motion passed.

## **UNFAIR LABOR PRACTICES:**

1. Case No. ULP- 6233  
Community College of Rhode Island & Community College of Rhode Island  
Faculty Association

**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.



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2. Case No. ULP-6234  
RI Council on Post-Secondary Education & University of Rhode Island Chapter AAUP

**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.

3. Case No. ULP-6236  
Northern Rhode Island Collaborative and American Federation of Teachers, Local 4940

**DETERMINATION:** A Motion was made by Marcia B. Reback and seconded by Derek M. Silva 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: October 1, 2014; October 13, 2015; February 23, 2017; August 22, 2017; October 3, 2017 **(To be opened and posted)**

**DETERMINATION:** A Motion was made by Scott G. Duhamel and seconded by Derek M. Silva, to open and publish the closed minutes from the above-mentioned closed Board Meetings. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

**Board Member, Alberto Aponte Cardona, left the Board Meeting at 9:45 a.m.**

## **DECISION & ORDER MATTERS:**

1. Case No. ULP-6221/ ULP-6225  
Town of North Providence & RI Laborers' District Council, Local 1033  
**(Board Member, Alberto Aponte Cardona, is recused from participation in this matter)**  
**(Board Member, Kenneth B. Chiavarini, abstained from participation in this matter)**

This case was heard formally by Walter Lanni, Marcia B. Reback, Scott G. Duhamel, Aronda R. Kirby, Kenneth B. Chiavarini, and Derek M. Silva. 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 Marcia B. Reback and seconded by Kenneth B. Chiavarini 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.



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**ORDER:** 1) The Employer is hereby ordered to cease and desist from retaliating against Elizabeth lafrate for exercising her right to file grievances and/or pursue arbitrations and/or file unfair labor practice charges with this Board. 2) The Employer is hereby ordered to cease and desist from discriminating against Elizabeth lafrate for exercising her right to file grievances and/or pursue arbitrations. 3) The Employer is hereby ordered to cease and desist from undermining or disparaging the Union in any communications the Town has with members of the bargaining unit. 4) The Employer is hereby ordered to cease and desist from refusing to engage in either mediation or good faith bargaining with the Union in accordance with R.I.G.L. 28-7-12. 5) The Employer is hereby ordered to post a copy of this Decision and Order for a period of not less than sixty (60) days in each building where bargaining unit personnel work, said posting to be in a location where other materials designed to be seen, read and reviewed by bargaining unit personnel are posted.

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A Motion to adjourn was made by Kenneth B. Chiavarini and seconded by Derek M. Silva and it was unanimously,

**VOTED:** to adjourn the meeting at 9:50 a.m.