



# 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:** Tuesday, September 10, 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  
Aronda R. Kirby  
Kenneth B. Chiavarini  
Derek M. Silva

**MEMBERS ABSENT:** Scott G. Duhamel

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

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Chairman Lanni called the meeting to order in Open Session at 9:05 A.M.

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All Board Members reviewed the Open Minutes of the June 25, 2019 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 present to accept the minutes as written. Motion passed.

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### CONSENT AGREEMENT & AFFIDAVIT MATTERS:

1. Case No.EE-3646  
Town of Johnston & RI Laborers' District Council, Local 808  
**(Accretion – Deputy Town Clerk)**

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 Derek M. Silva to acknowledge and accept the parties' signed Consent Agreement and Affidavit. Accordingly, the position(s) of **Deputy Town Clerk** shall be accreted into the bargaining unit as defined in Certification of Representatives - Case No. EE-3646. After discussion, all Board Members present voted in favor of the Motion. Motion passed.



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2. Case No. EE-3575  
State of Rhode Island – Department of Health & Department of Health Professional Staff Association/NEARI/NEA (**Supervising Environmental Scientist – Center for Drinking Water Quality – Division of Environmental Health**)

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Aronda R. Kirby and seconded by Derek M. Silva to acknowledge and accept the parties' signed Consent Agreement and Affidavit. Accordingly, the position(s) of **Supervising Environmental Scientist – Center for Drinking Water Quality – Division of Environmental Health** shall be accreted into the bargaining unit as defined in Certification of Representatives - Case No. EE-3575. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

3. Case No. EE-3092A  
State of Rhode Island – Department of Mental Health, Retardation, and Hospitals – Zambarano Hospital & Rhode Island Judicial, Professional and Technical Employee's Local Union 808 (**Name Change**)

After review of the Consent Agreement and Affidavit executed and presented by the parties, referencing a request for a name change and clarification of said bargaining unit, as of result of a re-organization, a Motion was made by Kenneth B. Chiavarini and seconded by Marcia B. Reback to acknowledge and accept the party's request; thus, amending the current Certification of Representatives, Case Number EE-3092A to reflect the identity change of the Employer's Representative, to read: **State of Rhode Island – Department of Behavioral Healthcare, Developmental Disabilities and Hospitals**, as well as the clarification of said bargaining unit. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

4. Case No. EE-3092A/EE-1804A  
State of Rhode Island – Department of Behavioral Healthcare, Developmental Disabilities & Hospitals & Rhode Island Judicial, Professional and Technical Employee's Local Union 808 & State of Rhode Island – Department of Behavioral Healthcare, Developmental Disabilities & Hospitals – Rhode Island Community Living and Supports (RICLAS)  
(**Re-Organizational Transfer**)

After review of the Consent Agreement and Affidavit executed and presented by the parties, referencing a Re-Organizational Transfer of the position(s) of Community Living Aides as a result of a "licensing designation change" within the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals, a Motion was made by Marcia B. Reback and seconded by Derek M. Silva to acknowledge and accept the party's request for transfer of said position as outlined in the Special Purpose Agreement. After discussion, all Board Members



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present voted in favor of the Motion. Motion passed.

## **MISCELLANEOUS MATTERS:**

1. Case No. EE-1804/EE-1804A  
State of Rhode Island – Dr. Joseph H. Ladd School & RI State Employees Association & RI Public Employees, Council 70, AFSCME, AFL-CIO (**Name Change**)

After review of the correspondence submitted by the RI Public Employees, Council 70, AFSCME, AFL-CIO (RI Council 94, AFSCME, AFL-CIO), as well as a confirmation for said request from Daniel Ballirano, Esq. representing the Department of Administration, referencing a name change for both party's representatives, a Motion was made by Aronda R. Kirby and seconded by Kenneth B. Chiavarini to acknowledge and accept the party's request; thus, amending the current Certification of Representatives to reflect the identity change of the bargaining unit representative and Employer, to read: **State of Rhode Island – Department of Behavioral Healthcare, Developmental Disabilities and Hospitals – RI Community Living & Supports (RICLAS) & RI Council 94, AFSCME, AFL-CIO, Local 1293, RICLAS Employees**, with said name change to be reflected within the Certification of Representatives, Case Number EE-1804A. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

## **DECISION AND ORDER MATTERS:**

1. Case No. ULP- 6234  
RI Council on Post-Secondary Education & URI Chapter, American Association of University Professors / URI / AAUP

After review of the above-entitled drafted Decision & Order, a Motion was made by Aronda R. Kirby and seconded by Kenneth B. Chiavarini to table the signing of the Decision & Order; and to refer the drafted Decision & Order back to the Board's Legal Counsel for amendment of said Decision and Order to reflect requested changes. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

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A Motion was made by Aronda R. Kirby 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. Derek M. Silva seconded the Motion and it was unanimously

**VOTED:** by all Board Members present to go into closed session and to seal the minutes.



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The meeting and minutes were closed at 9:30 A.M.

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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 Board meeting.

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## **REVIEW OF CLOSED MINUTES:**

1. Minutes of June 25, 2019

**DETERMINATION:** A Motion was made by Aronda R. Kirby and seconded by Kenneth B. Chiavarini 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 PRACTICE CASES:**

1. Case No. ULP-6249  
Town of West Warwick & RI Council 94, AFSCME, AFL-CIO

**DETERMINATION:** A Motion was made by Aronda R. Kirby 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.

2. Case No. ULP-6250  
State of Rhode Island – Department of Behavioral Healthcare, Developmental Disabilities and Hospitals – Eleanor Slater Hospital & RI Council 94, AFSCME, AFL-CIO, Local 1350

**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, Walter J. Lanni, Marcia B. Reback, 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-6253  
Town of Johnston & RI Council 94, AFSCME, AFL-CIO, Local 1491

**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.



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4. Case No. ULP-6254  
Pawtucket School Committee & Pawtucket Teachers Alliance, Local 930, AFT

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

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

**VOTED:** to adjourn the meeting at 9:40 A.M.