



STATE OF RHODE ISLAND

Rhode Island State Labor Relations Board

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

OPEN MINUTES
BOARD MEETING

TIME: 9:00 A.M.
DATE: Tuesday, February 16, 2021
PLACE: ZOOM Remote Meeting

BOARD MEMBERS IN ATTENDANCE: Walter J. Lanni
Scott G. Duhamel
Aronda R. Kirby
Kenneth B. Chiavarini
Derek M. Silva
Harry F. Winthrop
Stan Israel

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

Chairman Lanni called the meeting to order in Open Session at 9:00 A.M.

All Board Members reviewed the Open Minutes of the January 12, 2021 Board Meeting. A Motion was made by Stan Israel and seconded by Kenneth B. Chiavarini 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 MATTERS:

1. Case No. EE-3575
State of Rhode Island – Department of Health & Department of Health Professional Staff Association/NEARI/NEA (**Accretion – Supervising Geographic Information System Specialist**)

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Derek M. Silva and seconded by Stan Israel to acknowledge and accept the parties' signed Consent Agreement and Affidavit. Accordingly, the position(s) of Supervising Geographic Information System (GIS) Specialist - Center for Health Data and Analysis and Public Health Informatics (DoIT) - Division of Policy, Information and Communications - Position Number 1148-57102-2, shall be accreted into the bargaining unit as defined in Certification of Representatives – Case No. EE-3575. After discussion, all Board Members voted in favor of the Motion. Motion passed.



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CONCLUDED CASES: (Review and Determination)

- 1 Case No. ULP- 6286
Community College of Rhode Island – Rhode Island Council on Post Secondary Education &
Community College of Rhode Island Professional Staff Association/NEARI

After review of the above-entitled matter, a Motion was made by Derek M. Silva and seconded by Scott G. Duhamel to uphold the agreed upon violation as stated in the Complaint of the matter; and that this matter be referred to the Board's Legal Counsel for drafting of such Decision and Order to that effect. After discussion, Scott G. Duhamel, Derek M. Silva, and Stan Israel voted in favor of the Motion. Walter J. Lanni, Aronda R. Kirby, Kenneth B. Chiavarini, and Harry F. Winthrop opposed the Motion. Motion failed.

Subsequently, a Motion was made by Kenneth B. Chiavarini and seconded by Aronda R. Kirby to dismiss the violations as stated in the Complaint of the matter; and that this matter be referred to the Board's Legal Counsel for drafting of such Decision and Order to that effect. After discussion, Walter J. Lanni, Aronda R. Kirby, Kenneth B. Chiavarini, and Harry F. Winthrop voted in favor of the Motion. Scott G. Duhamel, Derek M. Silva, and Stan Israel opposed the Motion. Motion passed.

DECISION & ORDER: (Review and Determination)

1. Case No. ULP- 6276
State of Rhode Island – Department of Health & RI Council 94, AFSCME, AFL-CIO,
Local 2870

This case was heard formally by Walter J. Lanni, Scott G. Duhamel, Aronda R. Kirby, Derek M. Silva, Harry F. Winthrop, and Stan Israel. Kenneth B. Chiavarini, as well as the aforementioned 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 Derek M. Silva and seconded by Stan Israel 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 and did sign the Decision & Order, as written. Aronda R. Kirby, Kenneth B. Chiavarini and Harry F. Winthrop signed as dissent. Motion passed.



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ORDER: 1) The Employer is hereby ordered to cease and desist from making unilateral changes to working terms and conditions of employment, as it did when it reassigned Ramona Santos to the COVID letters team, without first notifying the Union and giving it the opportunity to bargain over any proposed changes. 2) 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.

MISCELLANEOUS MATTERS:

1. Case No. ULP-6256
ULP-6256 State of Rhode Island – Department of Corrections & RI Brotherhood of Correctional Officers (RIBCO) (**Motion for Dismiss and Default**)

After review of the Motions submitted in the aforementioned matter, a Motion was made by Derek M. Silva and seconded by Stan Israel to deny the Respondent’s Motion for Dismiss and Default and proceed to formal hearing. After discussion, all Board Members voted in favor of the Motion. Motion passed.

A Motion was made by Kenneth B. Chiavarini 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 to go into Closed Session and to seal the minutes.

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

A Motion was made by Aronda R. Kirby for the Board to re-open the Open Session for the purpose of reading into the record all votes taken in Closed Session. Stan Israel seconded the Motion and it was unanimously

VOTED: by all Board Members to go into Open Session.

The meeting and minutes were opened at 9:35 A.M.



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REVIEW OF CLOSED MINUTES:

1. Minutes of January 12, 2021

DETERMINATION: A Motion was made by Aronda R. Kirby and seconded by Stan Israel to accept and seal the Closed Minutes as written, and it was voted by all Board Members to accept the minutes as written. Motion passed.

UNFAIR LABOR MATTERS: (Review and Determination)

1. Case No. ULP-6297
RI Council on Elementary and Secondary Education/RI Department of Elementary and Secondary Education & RIDE Legal Counsel/Hearing Officer Professional Union

DETERMINATION: A Motion was made by Kenneth B. Chiavarini and seconded by Harry F. Winthrop 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.

2. Case No. ULP- 6299
State of Rhode Island – Department of Human Services & RI Council 94, AFSCME, AFL-CIO, Local 2882

DETERMINATION: A Motion was made by Kenneth B. Chiavarini and seconded by Harry Winthrop to administratively dismiss said Charge. After discussion, Walter J. Lanni, Kenneth B. Chiavarini, Aronda R. Kirby and Harry F. Winthrop voted in favor of the Motion. Scott G. Duhamel, Derek M. Silva, and Stan Israel opposed said Motion. Motion passed

MISCELLANEOUS MATTERS:

1. Appointment of Legal Counsel 7-1-21 to 6-30-22

DETERMINATION: A Motion was made by Derek M. Silva and seconded by Scott G. Duhamel, to reappoint Jeffrey W. Kasle, Esq. as the Board's Legal Counsel for Fiscal Year July 1, 2021 to June 30, 2022. After discussion, all Board Members voted in favor of the Motion. Motion passed.

Subsequently, a Motion was made by Stan Israel and seconded by Scott G. Duhamel to authorize the Chairman, Walter J. Lanni, to sign all paperwork, electronically, in conjunction with the appointment of Jeffrey W. Kasle, Esq. After discussion, all Board Members voted in favor of the Motion. Motion passed.



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A Motion to adjourn was made by Aronda R. Kirby and seconded by Stan Israel and it was unanimously,

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