



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, January 11, 2022
PLACE: 1511 Pontiac Ave., Building #73, 1ST Floor, Cranston, RI 02920

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

OTHERS PRESENT: Thomas A. Hanley, Administrator
Lisa L. Ribezzo, Labor Board Case Agent
Jeffrey W. Kastle, Esq. (Remote)

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

All Board Members present reviewed the Open Minutes of the December 14, 2021 Board Meeting. A Motion was made by Aronda R. Kirby and seconded by Stan Israel to accept the Open Minutes as written, and it was

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

1. **ULP- 6280 State of Rhode Island – Department of Labor & Training & Rhode Island Employment Security Alliance, Local 401, SEIU (Review and Determination)**

After review of the above-entitled matter, a Motion was made by Derek M. Silva and seconded by Stan Israel to dismiss part 1 of the Charge where it relates to the first employee on the matter of timeliness, and to uphold the agreed upon violation as stated in the Complaint of the matter as it relates to the second employee; 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, Scott G. Duhamel, Derek M. Silva and Stan Israel voted in favor of the Motion and Aronda R. Kirby, Kenneth B. Chiavarini and Harry F. Winthrop opposed the Motion. Motion passed.



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MISCELLANEOUS MATTERS:

- 1 Case No. ULP- 6304
State of Rhode Island – Department of Labor & Training & Rhode Island Employment Security Alliance, Local 401, SEIU (Consent Agreement & Stipulation of Facts) (Review and Determination)

After review of the Consent Agreement as well as the Stipulation of Facts submitted by the parties, a Motion was made by Derek M. Silva and seconded by Scott G. Duhamel to reject the Consent Agreement and Stipulation of Facts submitted by the parties and proceed to formal hearing in this matter. After discussion, all Board Members voted in favor of the Motion. Motion passed.

- 2 Case No. EE- 3729 Petitioner Union's Motion for Reconsideration of Decision of Remand (Review and Determination)

A Motion was made by Harry F. Winthrop and seconded by Aronda R. Kirby to deny the Petitioner Union's Motion for Reconsideration of Decision on Remand, but to clarify the language on page 7 that was referred to in the Petitioner's Motion. After discussion, all Board Members voted in favor of the Motion. Motion passed.

- 3 Executive Order 22-01 Allowing Remote Participation in Public Meetings (Review and Determination)

A Motion was made by Aronda R. Kirby and seconded by Harry F. Winthrop to conduct all formal hearings and Board Meetings fully by remote access through the month of February and reassess where we are, at that point. After discussion, all Board Members voted in favor of the Motion. Motion passed.

A Motion was made by Stan Israel for the Board to go into Closed Session for the purpose of reviewing the Closed Minutes and Unfair Labor Practice 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 9:50 A.M.



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The meeting resumed in open session at 10:05 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.

REVIEW OF CLOSED MINUTES:

1. Minutes of December 14, 2021

DETERMINATION: A Motion was made by Kenneth B. Chiavarini, 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 PRACTICE MATTERS: (Review and Determination)

1. ULP- 6321 State of Rhode Island – Department of Public Safety – Division of Sheriffs & RI Council 94, AFSCME, AFL-CIO, Local 2409 (Objection to and Motion to Strike, Council 94's Response to the Division's Preliminary Statement)

DETERMINATION: A Motion was made by Stan Israel and seconded by Aronda R. Kirby to approve the Employer's Objection to and Motion to Strike, Council 94's Response to the Division's Preliminary Statement. After discussion, all Board Members voted in favor of the Motion. Motion passed.

2. ULP- 6321 State of Rhode Island – Department of Public Safety – Division of Sheriffs & RI Council 94, AFSCME, AFL-CIO, Local 2409 (Charge)

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 in this matter. After discussion, all Board Members voted in favor of the Motion. Motion passed.

- 3 ULP- 6326 Bristol/Warren School Committee & Bristol Warren Education Association/NEARI

DETERMINATION: A Motion was made by Derek M. Silva and seconded by Scott G. Duhamel to uphold the Charge, issue a Complaint and proceed to formal hearing in this matter. After discussion, all Board Members voted in favor of the Motion. Motion passed.



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4 ULP- 6327 State of Rhode Island – Department of Public Safety – Division of Sheriffs & RI Council 94, AFSCME, AFL-CIO, Local 2409

DETERMINATION: A Motion was made by Derek M. Silva and seconded by Stan Israel to uphold the Charge, issue a Complaint and proceed to formal hearing in this matter. After discussion, all Board Members voted in favor of the Motion. Motion passed.

5 Miscellaneous Matters: Litigation Matter: Case #PC-2021-07570 (ULP- 6311) Appeal of Board's Administrative Dismissal – This agenda item was an informational discussion and no vote was taken.

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

VOTED: to adjourn the meeting at 10:10 A.M.