



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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: 11:00 A.M.
DATE: Tuesday, November 15, 2022
PLACE: 1511 Pontiac Ave., Building #73, 2nd Floor, Cranston, RI 02920

BOARD MEMBERS IN ATTENDANCE: Walter J. Lanni
Aronda R. Kirby
Derek M. Silva
Kenneth B. Chiavarini, Esq.
Harry F. Winthrop

BOARD MEMBERS ABSENT: Scott G. Duhamel
Stan Israel

OTHERS PRESENT: Lisa L. Ribezzo, Programming Services Officer
Jeffrey W. Kastle, Esq.

Chairman Lanni called the meeting to order in Open Session at 11:00 A.M.

All Board Members present reviewed the Open Minutes of the October 11, 2022 Board Meeting. A Motion was made by Aronda R. Kirby and seconded by Kenneth B. Chiavarini, to accept the Open Minutes as written, and it was

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

CONSENT AGREEMENT & AFFIDAVIT MATTERS:

- 1 Case No. EE- 1981A
Lincoln Public Schools & RI Council 94, AFSCME, AFL-CIO, Local 2671
(Accretion – Registered Behavioral Technician (RBT))

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: Registered Behavioral Technician (RBT) shall be accreted into the bargaining unit as defined in Certification of Representatives – Case No. EE-1981A. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

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UNIT CLARIFICATION MATTERS:

- 1 Case No. EE- 3406A
State of Rhode Island – Department of Health & Department of Health Professional Staff Association/NEARI/NEA & RI Council 94, AFSCME, AFL-CIO, Local 2870
(Clarification of Community Program Liaison Worker Position)

After review of the investigator's report, and responses from all parties, a Motion was made by Harry F. Winthrop and seconded by Aronda R. Kirby to accept the investigator's report as written. There was no discussion. All Board Members present voted in favor of the Motion. Motion passed.

MISCELLANEOUS MATTERS (Review and Determination):

- 1 Case No. ULP- 6297 Rhode Island Council on Elementary and Secondary Education/Rhode Island Department of Elementary and Secondary Education & RIDE Legal Counsel/Hearing Officer Professional Union (Petitioner's Motion to Admit Proposed Exhibit 163 and Respondent's Objection to Petitioner's Motion to Admit Proposed Exhibit 163)

After review of all documentation submitted, a Motion was made by Aronda R. Kirby and seconded by Derek M. Silva to deny the Petitioner's Motion to Admit Proposed Exhibit 163. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

A Motion was made by Derek M. Silva, to go into Closed Session for the purpose of review/voting on the Closed Minutes and Unfair Labor Practice Matter(s), as well as an update on pending litigation pursuant to R.I. Gen. Laws §42-46-5(a)(2)(4) of the Open Meetings Law. Kenneth B. Chiavarini seconded the Motion, and it was unanimously

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

The meeting and minutes were closed at 11:15 A.M.

The meeting resumed in open session at 11:40 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 October 11, 2022

DETERMINATION: A Motion was made by Aronda R. Kirby and seconded by Harry F. Winthrop, 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 MATTERS: (Review and Determination)

1. ULP- 6343 State of Rhode Island & RI Council 94, AFSCME, AFL-CIO, Local 2883

DETERMINATION: A Motion was made by Kenneth B. Chiavarini and seconded by Aronda R. Kirby to deny the Charge and administratively dismiss the matter. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

2. ULP- 6344 City of East Providence & United Steelworkers, Local 15509

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

3. ULP- 6345 City of East Providence & United Steelworkers, Local 15509

DETERMINATION: A Motion was made by Derek M. Silva and seconded by Walter J. Lanni to uphold the Charge, issue a Complaint and proceed to formal hearing in this matter. After discussion, Derek M. Silva voted in favor of the Motion. Walter J. Lanni, Aronda R. Kirby, Harry F. Winthrop and Kenneth B. Chiavarini opposed the Motion. Motion failed.

A second Motion was made by Kenneth B. Chiavarini and seconded by Harry F. Winthrop to deny the Charge and administratively dismiss the matter. Walter J. Lanni, Aronda R. Kirby, Kenneth B. Chiavarini and Harry F. Winthrop voted in favor of the Motion. Derek M. Silva opposed the Motion. Motion passed.



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MISCELLANEOUS MATTERS: (Review and Determination)

- 1 Update on Pending Litigation: PC-2021-4279 (ULP- 6256) State of Rhode Island – Department of Corrections & RI State Labor Relations Board & RI Brotherhood of Correctional Officers

A Motion was made by Aronda R. Kirby and seconded by Harry F. Winthrop to agree with the advice and recommendation of the Board's Legal Counsel that no action be taken pending Court Decisions on the Stay and Writ of Certiorari. All Board Members present voted in favor of the Motion. Motion passed.

A Motion to adjourn was made by Aronda R. Kirby and seconded by Harry F. Winthrop, and it was unanimously,

VOTED: to adjourn the meeting at 11:45 A.M.