



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.rislrp.ri.gov

OPEN MINUTES BOARD MEETING

TIME: 9:00 A.M.
DATE: Tuesday, May 10, 2022
PLACE: 1511 Pontiac Ave., Building #73, 2nd Floor, Cranston, RI 02920

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

BOARD MEMBERS ABSENT: Aronda R. Kirby

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

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

All Board Members present reviewed the Open Minutes of the April 12, 2022 Board Meeting. A Motion was made by Stan Israel and seconded by Scott G. Duhamel 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- 1906
Pawtucket Housing Authority & Rhode Island Laborers' District Council on behalf of
Local 1217 (**Accretion of Maintenance-Landscaper**)

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 Kenneth B. Chiavarini, to acknowledge and accept the parties' signed Consent Agreement and Affidavit. Accordingly, the position(s) of: Maintenance-Landscaper shall be accreted into the bargaining unit as defined in Certification of Representatives – Case No. EE-1906. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

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CONCLUDED CASES:

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

After review of the above-entitled matter, a Motion was made by Derek M. Silva and seconded by Scott G. Duhamel to uphold the violations for a failure on the part of the Employer to sign the agreed upon agreement; and that this matter be referred to the Board's Legal Counsel for drafting of such Decision and Order to that effect. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

- 2 Case No. ULP- 6284 Rhode Island Department of Elementary and Secondary Education & RIDE Professional Employees Union, Local 2012, AFT (**Review and Determination**)

A Motion was made by Stan Israel and seconded by Derek M. Silva to go out of order on the agenda to make a determination on the Motion before the Board prior to making any determination on the concluded case in the same matter. All Board Members present voted in favor of the Motion. Motion passed.

MISCELLANEOUS MATTERS:

- 1 Case No. ULP- 6284 Rhode Island Department of Elementary and Secondary Education & RIDE Professional Employees Union, Local 2012, AFT (**Motion for Reconsideration of Board's Denial of Motion to File Rebuttal Briefs/Objection to Motion for Reconsideration**) (**Review and Determination**)

After review of the Motion for Reconsideration of Board's Denial of Motion to File Rebuttal Briefs/Objection to Motion for Reconsideration, a Motion was made by Stan Israel, and seconded by Derek M. Silva to deny the Respondent's Motion for Reconsideration of the Board's Denial of its Motion to File Rebuttal Briefs in Case No. ULP- 6284. After discussion, All Board Members present voted in favor of the Motion. Motion passed.



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CONCLUDED CASES - CONTINUED:

- 2 Case No. ULP- 6284 Rhode Island Department of Elementary and Secondary Education & RIDE Professional Employees Union, Local 2012, AFT (**Review and Determination**)

A Motion was made by Stan Israel and seconded by Derek M. Silva to uphold the agreed upon 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. As to remedy, the Board orders a bargaining order if appropriate and applicable, that document production is appropriate if applicable, Attorney's fees are denied, and the make whole remedy is denied. Walter J. Lanni, Scott G. Duhamel, Derek M. Silva and Stan Israel voted in favor of the Motion. Kenneth B. Chiavarini and Harry F. Winthrop voted in opposition to the Motion. Motion passed.

A Motion was made by Stan Israel, and seconded by Scott G. Duhamel to go into Closed Session for the purpose of review/voting on the Closed Minutes 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 to go into closed session and to seal the minutes.

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

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, as well as adjourning the Board meeting.

REVIEW OF CLOSED MINUTES:

1. Minutes of April 12, 2022

DETERMINATION: A Motion was made by Scott G. Duhamel, and seconded by Derek M. Silva, 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.

A Motion to adjourn was made by Derek M. Silva and seconded by Scott G. Duhamel, and it was unanimously,

VOTED: to adjourn the meeting at 9:45 A.M.