



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, January 19, 2023
PLACE: 1511 Pontiac Ave., Building #73, 2nd Floor, Cranston, RI 02920

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

BOARD MEMBERS ABSENT: Derek M. Silva

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

Chairman Lanni called the meeting to order in Open Session at 9:10 A.M.

All Board Members present reviewed the Open Minutes of the November 15, 2022 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 present to accept the minutes as written. Motion passed.

CONSENT AGREEMENT & AFFIDAVIT MATTERS:

- 1 Case No. EE- 3315
Narragansett Bay Water Quality Management District Commission & Rhode Island Laborers' District Council on behalf of Local 1033
(Accretion – Utility Operator)

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Harry F. Winthrop and seconded by Aronda R. Kirby, to acknowledge and accept the parties' signed Consent Agreement and Affidavit. Accordingly, the position(s) of: Utility Operator shall be accreted into the bargaining unit as defined in Certification of Representatives – Case No. EE-3315. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

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CONSENT AGREEMENT & AFFIDAVIT MATTERS - Continued:

- 2 EE- 3115 State of Rhode Island – Department of Transportation & Local 400, IFPTE
(Accretion – Chief Program Development in the Office of Transit (One employee, David Martone, position number 5415-10000-2319, as of the date of this Agreement) and Administrator for Policy and Community Affairs (DOT) in the Administrative Services Department (One employee, Brendan Fogarty, position number 5325-10000-52, as of the date of this Agreement)

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Stan Israel and seconded by Aronda R. Kirby, to acknowledge and accept the parties' signed Consent Agreement and Affidavit. Accordingly, the position(s) of: Chief Program Development in the Office of Transit (One employee, David Martone, position number 5415-10000-2319, as of the date of this Agreement) and Administrator for Policy and Community Affairs (DOT) in the Administrative Services Department (One employee, Brendan Fogarty, position number 5325-10000-52, as of the date of this Agreement) shall be accreted into the bargaining unit as defined in Certification of Representatives – Case No. EE-3115. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

CONCLUDED CASES:

- 1 Case No. ULP- 6328
West Warwick Housing Authority & RI Council 94, AFSCME, AFL-CIO, Local 2045-1
(Review and Determination)

After review of the above-entitled matter, a Motion was made by Kenneth B. Chiavarini, and seconded by Harry F. Winthrop to deny and dismiss the unfair labor practice Charge in this matter; and that this matter be referred to the Board's Legal Counsel for drafting of such Decision and Order of Dismissal to that effect. After discussion, all Board Members present voted in favor of the Motion. Motion passed.



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2. Case No. ULP- 6330 State of Rhode Island – Department for Children, Youth and Families & Rhode Island Alliance of Social Service Employees, Local 580, SEIU
(Review and Determination)

After review of the above-entitled matter, a Motion was made by Stan Israel and seconded by Scott G. Duhamel to uphold the violations for a failure on the part of the Employer to provide documents requested by the Union concerning the termination of a probationary 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, Stan Israel and Harry F. Winthrop voted in favor of the Motion, and Aronda R. Kirby and Kenneth B. Chiavarini opposed the Motion. Motion passed.

A Motion was made by Kenneth B. Chiavarini 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. Aronda R. Kirby 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 9:50 A.M.

The meeting resumed in open session at 10:00 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 November 15, 2022

DETERMINATION: A Motion was made by Kenneth B. Chiavarini, and seconded by Aronda R. Kirby, 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- 6347 South Kingstown School Committee & South Kingstown Education Support Professionals/NEARI/NEA

DETERMINATION: A Motion was made by Aronda R. Kirby 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 present voted in favor of the Motion. Motion passed.

2. ULP- 6348 City Of East Providence & International Brotherhood of Police Officers, Local 569

DETERMINATION: A Motion was made by Stan Israel 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 present voted in favor of the Motion. Motion passed.

MISCELLANEOUS MATTERS: (Review and Determination)

- 1 Update on Pending Litigation: PC-2014-3560 (ULP- 6099) City of Pawtucket & RI State Labor Relations Board & RI Council 94, AFSCME, AFL-CIO, Local 1012

This was an informational discussion only. No votes were taken.

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

VOTED: to adjourn the meeting at 10:05 A.M.