



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 9, 2023
PLACE: 1511 Pontiac Ave., Building #73, 3rd 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

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

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

All Board Members reviewed the Open Minutes of the March 14, 2023 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- 1714A
State of Rhode Island – Department of Administration & RI Council 94, AFSCME, AFL-CIO,
Local 2448
(Accretion of Chief Implementation Aide – position number 2420-10000-00315)

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Aronda R. Kirby and seconded by Harry F. Winthrop, to acknowledge and accept the parties' signed Consent Agreement and Affidavit. Accordingly, the position(s) of: Chief Implementation Aide – position number 2420-10000-00315 shall be accreted into the bargaining unit as defined in Certification of Representatives – Case No. EE-1714A. After discussion, all Board Members voted in favor of the Motion. Motion passed.

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CONCLUDED CASES: (Review and Determination):

- 1 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

A Motion was made by Walter J. Lanni and seconded by Stan Israel to continue this matter to the June 13, 2023 Board Meeting due to the incredible volume of transcripts, exhibits and briefs, in order to give all Board Members ample time to review all of the documentation. After discussion, all Board Members voted in favor of the Motion. Motion passed.

DECISION & ORDER MATTERS: (Review and Determination/Signing):

1. Case No. ULP- 6327 State of Rhode Island – Department of Public Safety – Division of Sheriffs & RI Council 94, AFSCME, AFL-CIO, Local 2409

This case was heard formally by Walter J. Lanni, Aronda R. Kirby, Derek M. Silva (no longer a Board Member), Stan Israel and Kenneth B. Chiavarini, as well as all Board Members present reviewed the transcript(s) and briefs, as well as the evidence submitted herein.

After review of the Drafted Decision and Order of Dismissal, a Motion was made by Stan Israel and seconded by Scott G. Duhamel to sign the Decision and Order of Dismissal, as written, and to refer the case back to the Programming Services Officer of the Board for final proofing; with the direction to issue the same as soon as possible. After discussion, all Board Members voted in favor of the Motion and signed the Decision & Order of Dismissal, as written. Motion passed.

ORDER: The above-entitled matter is hereby dismissed.



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MISCELLANEOUS MATTERS: (Review and Determination):

1. 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
-and-
ULP- 6349 Rhode Island Department of Elementary and Secondary Education & RIDE Legal Counsel/Hearing Officer Professional Union
(Petitioner's Motion to Consolidate Cases; Respondents' Objection to Petitioner's Motion to Consolidate Cases; Petitioner's Reply to Respondent's Objection to Motion.

After review of the Petitioner's Motion to Consolidate Cases; Respondents' Objection to Petitioner's Motion to Consolidate Cases and Petitioner's Reply to Respondent's Objection to Motion, a Motion was made by Stan Israel and seconded by Harry F. Winthrop to approve Petitioner's Motion to Consolidate Cases. After discussion, Stan Israel withdrew his Motion to approve Petitioner's Motion to Consolidate Cases and Harry F. Winthrop withdrew his second.

A second Motion was made by Kenneth B. Chiavarini and seconded by Aronda R. Kirby to deny the Petitioner's Motion to Consolidate Cases. All Board Members voted in favor of the Motion. Motion passed.

A Motion was made by Aronda R. Kirby to go into Closed Session for the purpose of review/voting on the Closed Minutes, Unfair Labor Practice Matters, and 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 to go into closed session and to seal the minutes.

The meeting and minutes were closed at 9:15 A.M.

The meeting resumed in open session at 9:45 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 March 14, 2023

DETERMINATION: A Motion was made by Aronda R. Kirby and seconded by Kenneth B. Chiavarini, 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- 6355 Newport School Committee & Teachers' Association of Newport/NEARI

DETERMINATION: A Motion was made by Harry F. Winthrop and seconded by Kenneth B. Chiavarini, Esq. to administratively dismiss this matter. After discussion, Harry F. Winthrop and Kenneth B. Chiavarini voted in favor of the Motion. Walter J. Lanni, Scott G. Duhamel, Aronda R. Kirby and Stan Israel opposed the Motion. Motion failed.

A second Motion was made by Aronda R. Kirby and seconded by Stan Israel to uphold the Charge, issue a Complaint and proceed to formal hearing in this matter. Walter J. Lanni, Scott G. Duhamel, Aronda R. Kirby and Stan Israel voted in favor of the Motion. Harry F. Winthrop and Kenneth B. Chiavarini opposed the Motion. Motion passed.

2. ULP- 6357 Rhode Island College & RI Council 94, AFSCME, AFL-CIO, Local 2878

DETERMINATION: A Motion was made by Harry F. Winthrop and seconded by Kenneth B. Chiavarini, to administratively dismiss this matter. After discussion, Walter J. Lanni, Scott G. Duhamel, Aronda R. Kirby, Kenneth B. Chiavarini and Harry F. Winthrop voted in favor of the Motion. Stan Israel abstained from voting. Motion passed.

3. ULP- 6358 Rhode Island College & RI Council 94, AFSCME, AFL-CIO, Local 2878

DETERMINATION: A Motion was made by Harry F. Winthrop and seconded by Kenneth B. Chiavarini, to administratively dismiss this matter. After discussion, all Board Members voted in favor of the Motion. Motion passed.



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4. ULP- 6359 Town of South Kingstown & International Brotherhood of Police Officers, Local 489

DETERMINATION: A Motion was made by Aronda R. Kirby and seconded by Stan Israel to uphold the Charge, issue a Complaint and proceed to formal hearing in this matter. After discussion, Walter Lanni, Scott G. Duhamel, Aronda R. Kirby and Stan Israel voted in favor of the Motion. Kenneth B. Chiavarini and Harry F. Winthrop opposed the Motion. Motion passed.

5. ULP- 6361 Central Falls Detention Facility Corporation & National Fraternal Order of Police, Lodge #50

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, Walter Lanni, Scott G. Duhamel, Aronda R. Kirby and Stan Israel voted in favor of the Motion. Kenneth B. Chiavarini and Harry F. Winthrop opposed the Motion. Motion passed.

6. ULP- 6363 City of Warwick & RI Council 94, AFSCME, AFL-CIO, Local 1651

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

MISCELLANEOUS MATTERS:

1. Updated on pending litigation: C.A. No. PC-2022-00231 RIDE Legal Counsel/Hearing Officer Professional Union v. Rhode Island State Labor Relations Board and Rhode Island Department of Elementary and Secondary Education/RI Council on Elementary and Secondary Education

DETERMINATION: This was an informational update by Board's Legal Counsel. No votes were taken.

A Motion was made by Stan Israel and seconded by Aronda R. Kirby, to adjourn at 9:45 a.m. All Board Members voted in favor of the Motion. Motion passed.