



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, June 13, 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
Lawrence Purtill

ABSENT: Stan Israel

OTHERS PRESENT: Thomas A. Hanley, Administrator
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 May 9, 2023 Board Meeting. A Motion was made by Aronda R. Kirby 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.

Board Member Purtill was appointed to the Board and confirmed by the Senate as a Board Member after the May 9, 2023 Board Meeting, and therefore will not be voting on any open session agenda items.

A Motion was made by Kenneth B. Chiavarini, and seconded by Aronda R. Kirby to take Agenda Item #4 out of order and place it first on the Agenda. All Board Members present voted in favor of the Motion. Motion passed.

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4. MISCELLANEOUS MATTERS: (Review and Determination)

(a) 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 Renewed Motion to Consolidate Cases and Respondents' Objection to Petitioner's Renewed Motion to Consolidate Cases)

A Motion was made by Kenneth B. Chiavarini, and seconded by Aronda R. Kirby to deny Petitioner's Renewed Motion to Consolidate Cases. There was no discussion. All Board Members present, with the exception of Lawrence Purtill, voted in favor of the Motion. Motion passed.

2. CONCLUDED CASES: (Review and Determination):

(a) 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 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. Legal Counsel clarified that there were three (3) questions that needed to be answered: 1) Was Mr. Pontarelli discharged due to concerted activity; 2) Was Mr. Pontarelli denied his sick leave accrual due to concerted activity; and 3) Was Ms. Murray disciplined (the stopping or providing of new cases) due to concerted activity? After discussion, Walter J. Lanni, Aronda R. Kirby, Kenneth B. Chiavarini and Harry F. Winthrop voted in favor of the Motion to deny and dismiss the unfair labor practice charge in this matter on all three (3) questions. Scott G. Duhamel opposed the Motion. Motion passed.



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3. REPRESENTATION MATTERS: (Review and Determination/Signing):

- (a) Case No. EE- 3762 Donald W. Wyatt Detention Facility & National Fraternal Order of Police
(Employer's Challenge to election)

A Motion was made by Harry F. Winthrop, and seconded by Scott G. Duhamel to proceed to formal hearing in this matter to determine if Lieutenants and Captains at the Donald W. Wyatt Detention facility are eligible to be members of a collective bargaining unit. After discussion, all Board Members present, with the exception of Lawrence Purtill, voted in favor of 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, Unfair Labor Practice Matters, Appointment of Legal Counsel for the period 7-1-23 to 6-30-24, and 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 10:00 A.M.

The meeting resumed in open session at 10:15 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 May 9, 2023

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.



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UNFAIR LABOR PRACTICE MATTERS: (Review and Determination)

1. ULP- 6366 City of East Providence & International Brotherhood of Police Officers, Local 569

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- 6367 Providence Public School Department & RI Council 94, AFSCME, AFL-CIO, Local 1339

DETERMINATION: A Motion was made by Scott G. Duhamel 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.

MISCELLANEOUS MATTERS:

A Motion was made by Aronda R. Kirby and seconded by Kenneth B. Chiavarini, to move the Update on Pending Litigation before appointment of legal counsel. All Board Members present voted in favor of the Motion. Motion passed.

2. Updated on pending litigation

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

1. Appointment of Legal Counsel 7-1-23 to 6-30-24

DETERMINATION: After review of the documentation submitted, a Motion was made by Kenneth B. Chiavarini and seconded by all parties present to reappoint Jeffrey W. Kasle, Esq. as the Board's Legal Counsel for the Fiscal Year beginning July 1, 2023 and ending on June 30, 2024. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

Subsequently, a Motion was made by Harry F. Winthrop and seconded by Kenneth B. Chiavarini, to authorize the Chairman, Walter J. Lanni, to sign all paperwork in conjunction with the appointment of Jeffrey W. Kasle, Esq. After discussion, all Board Members present voted in favor of the Motion. Motion passed.



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A Motion was made by Aronda R. Kirby, and seconded by Scott G. Duhamel to adjourn at 10:20 a.m. All Board Members present voted in favor of the Motion. Motion passed.