



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# Rhode Island State Labor Relations Board

Building 73  
1511 Pontiac Avenue  
Cranston, Rhode Island 02920-4407

## OPEN MINUTES BOARD MEETING

**TIME:** 9:00 a.m.  
**DATE:** Tuesday, March 8, 2005  
**PLACE:** 1511 Pontiac Ave., Building #73, 2nd Floor, Cranston, RI 02920

**BOARD MEMBERS IN ATTENDANCE:** Walter J. Lanni, Chairman  
Joseph V. Mulvey  
John R. Capobianco  
Frank J. Montanaro  
Gerald S. Goldstein  
Ellen L. Jordan  
Elizabeth Dolan

**OTHERS PRESENT:** Robyn H. Golden, Acting Administrator  
Linda L. Esposito, Secretary  
Margaret Hogan, Esquire

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Chairman Lanni called the meeting to order in Open Session at 9:05 a.m.

All members present reviewed the Open Minutes of the February 8, 2005 Board Meeting. A Motion was made by Frank Montanaro and seconded by John Capobianco to accept the Open Minutes as written, and it was unanimously

**VOTED:** by all Board Members to accept the minutes as written

The meeting continued in open session

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**Gerald Goldstein arrived at 9:10 a.m.**

**CASES CONCLUDED:**

- 1 Case Nos. EE-3406 & EE-3575  
State of Rhode Island – Department of Health and  
RI Council 94, AFSCME, AFL-CIO, Local 2870 (EE-3406) and  
RI Department of Health Professional Staff Assn/NEA (EE-3575)  
**UNIT CLARIFICATION: Sr. Human Services Policy Systems Specialist (10  
positions)**

This case was heard formally by Walter Lanni, Joseph V. Mulvey, John Capobianco, Gerald Goldstein, Elizabeth Dolan and Ellen Jordan. Frank Montanaro reviewed the transcript in this matter. All Board members reviewed the depositions and transcripts taken in this matter.

The Board reviewed the filing of the State's Amended Answer to Petitions of Council 94 and NEARI submitted by Maureen A. Hobson, Chief Legal Counsel, Department of Health, objecting to the inclusion of three (3) of the ten (10) positions held by Zulmira Roseman, Cynthia McKay, and Andrea Bagnall-Degos. After review, a Motion was made by Elizabeth Dolan and seconded by Ellen Jordan to exclude the position of **Sr. Human Services Policy Systems Specialist** held by **Zulmira Roseman**. After discussion, Gerald Goldstein voted in favor of the Motion. Frank Montanaro, John Capobianco, Joseph Mulvey and Walter Lanni opposed the Motion. Motion failed.

A Motion was made by Frank Montanaro and seconded by Joseph Mulvey to include the position of **Sr. Human Services Policy Systems Specialist** held by **Zulmira Roseman**. After discussion, John Capobianco and Walter Lanni voted in favor of the Motion. Elizabeth Dolan, Ellen Jordan and Gerald Goldstein opposed the Motion. Motion passed.

After review, a Motion was made by Joseph Mulvey and seconded by Frank Montanaro to include the position of **Sr. Human Services Policy Systems Specialist** held by **Cynthia McKay**. After discussion, John Capobianco and Walter Lanni voted in favor of the Motion. Elizabeth Dolan, Ellen Jordan and Gerald Goldstein opposed the Motion. Motion passed.

After review, a Motion was made by Joseph Mulvey and seconded by John Capobianco to include the position of **Sr. Human Services Policy Systems Specialist** held by **Andrea Bagnall-Degos**. After discussion, Frank Montanaro and Walter Lanni voted in favor of the Motion. Elizabeth Dolan, Ellen Jordan and Gerald Goldstein opposed the Motion. Motion passed.

After review, a Motion was made by Elizabeth Dolan and seconded by Ellen Jordan that all seven (7) remaining positions of **Sr. Human Services Policy Systems Specialist** shall rightfully be included in the bargaining unit, Case No. EE-3575, represented by the Department of Health, Professional Staff Association/NEARI. After discussion, all members voted in favor of the Motion.

**DRAFTED DECISIONS:**

- 1 Case No. ULP-5506  
Bristol Warren School & NEA

A Motion was made by Ellen Jordan and seconded by John Capobianco to table this matter to the next Board Meeting. All Board members voted in favor of the Motion.

2. Case No. ULP-5657  
Department of Corrections & RIBCO

A Motion was made by Ellen Jordan and seconded by John Capobianco to table this matter to the next Board Meeting. All Board members voted in favor of the Motion.

3. Case No. ULP-5689  
State of RI & AFSCME

A Motion was made by Ellen Jordan and seconded by John Capobianco to table this matter to the next Board Meeting. All Board members voted in favor of the Motion.

4. Case No. ULP-5697  
City of Newport & Newport FOP

A Motion was made by Ellen Jordan and seconded by John Capobianco to table this matter to the next Board Meeting. All Board members voted in favor of the Motion.

A Motion was made by Ellen Jordan and seconded by Elizabeth Dolan to amend the agenda to include an item of interest for discussion under **Miscellaneous Matters**. After discussion, all Board Members voted in favor of the Motion.

**MISCELLANEOUS MATTERS:**

- 1 Case No. EE-3662  
Providence Water Supply Board & Teamsters Local 64 & Laborers' Local 1322  
**ELECTION PETITION: Mid-level Management (35 positions) – Amended 3/14/03**

The Acting Administrator advised the Board Members that she received a telephone call from Stuart Mundy of Teamsters Local 64 requesting that a letter of explanation be written advising Teamsters Local 64 that no further action is being taken at this time, in this matter, due to the Board's lack of staffing. A Motion was made by Joseph Mulvey and seconded by John Capobianco to have the Acting Administrator issue the letter of explanation. After discussion, all Board Members voted in favor of the Motion.

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Frank Montanaro made a Motion for the Board to go into Closed Session for the purpose of reviewing Unfair Labor Practice Charges and the minutes to be closed, pursuant to 42-46-5(a)(2)(4) of the Open Meetings Law. It was seconded by John Capobianco, and it was unanimously

**VOTED:** for the meeting to go into closed session and to close the minutes.

The meeting and minutes were closed at 9:30 a.m.

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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.

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**UNFAIR LABOR PRACTICE CHARGES:**

- 1 Case No. ULP-5738  
Town of Burrillville & Local 369, IBPO

**DETERMINATION:** issue Complaint and proceed to formal hearing.

2. Case No. ULP-5740  
E. Greenwich School & NEA (*Employer*)

**DETERMINATION:** dismiss the charge in accordance with RIGL 28-7-9(d).

3. Case No. ULP-5742  
E. Greenwich School & NEA

**DETERMINATION:** 1) place this matter in abeyance pending the outcome of ongoing mediation 2) notify the parties of the same and request notification by the parties as to conclusion of mediation.

4. Case No. ULP-5744  
Cranston & Teamsters, Local 251

**DETERMINATION:** issue Complaint and proceed to formal hearing.

5. Case No. ULP-5746  
Foster-Glocester Regional School & NEA Ponagansett

**DETERMINATION:** issue Complaint and proceed to formal hearing.

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A Motion to adjourn was made by Frank Montanaro, and it was seconded by Ellen Jordan, and it was unanimously,

**VOTED:** to adjourn the meeting at 10:05 a.m.