



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Rhode Island State Labor Relations Board

Building 73
1511 Pontiac Avenue
Cranston, Rhode Island 02920-4407
Website: www.dlt.state.ri.us/lrb

OPEN MINUTES **BOARD MEETING**

TIME: 9:00 a.m.
DATE: Thursday, September 21, 2006
PLACE: 1511 Pontiac Ave., Building #73, 3rd Floor, Cranston, RI 02920

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

BOARD MEMBERS ABSENT: Elizabeth Dolan

OTHERS PRESENT: Robyn H. Golden, Administrator
Margaret Hogan, Esquire

Chairman Lanni called the meeting to order in Open Session at 9:14 a.m.

All members present reviewed the Open Minutes of the August 15, 2006. A Motion was made by Joseph Mulvey and seconded by Ellen Jordan to accept the Open Minutes as written, and it was unanimously

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

The meeting continued in open session:

UNIT CLARIFICATION/ACCRETION CASES:

1. Case No. EE-1630
East Greenwich School Committee & East Greenwich Education
Association NEARI/NEA
UNIT CLARIFICATION: Athletic Director

After review of the investigator's report and the parties responses, a Motion was made by Joseph Mulvey and seconded by John Capobianco to preliminarily accrete the position(s) of Athletic Director into the bargaining unit defined in Case No. EE-1630. After discussion, Walter Lanni, Gerald Goldstein, and Frank Montanaro voted in favor of the Motion. Ellen Jordan opposed the motion.

Staff will contact Elizabeth Dolan to ascertain her vote in this matter.

Staff contacted Elizabeth Dolan for her vote in this matter. Ms. Dolan opposed the motion. Motion passed.

2. Case No. EE-3095
Department of Mental Health, Retardation and Hospitals &
RI Council 94, AFSCME, AFL-CIO
UNIT CLARIFICATION: Implementation Aide

After review of the investigator's report (neither party submitted a response in this matter) a Motion was made by Joseph Mulvey and seconded by Ellen Jordan to proceed to Formal Hearing, in lieu of any preliminary determinations. All Board members present voted in favor of the Motion.

CONSENT AGREEMENT & AFFIDAVIT CASES:

1. EE- 2043A
North Kingstown School Department &
North Kingstown Educational Support Professionals
Network Manager – Exclusion

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Ellen Jordan and seconded by John Capobianco to acknowledge and accept the parties' signed agreement; that the position of **Network Manager**, shall be and is hereby **excluded** from the bargaining unit as defined by Certification No. EE-2043A. After discussion, all Board Members present voted in favor of the Motion.

2. EE- 3563
Exeter/West Greenwich Regional School &
RI Council 94, AFSCME, AFL-CIO
Behavior Specialist

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by John Capobianco and seconded by Gerald Goldstein to acknowledge and accept the parties' signed agreement; that the position of **Behavior Specialist**, shall be and is hereby **accreted** into the bargaining unit as defined by Certification No. EE-3563. After discussion, all Board Members present voted in favor of the Motion.

DRAFTED DECISIONS:

1. Case No. ULP-5706
Department of MHRH & AFSCME

A Motion was made by Ellen Jordan and seconded by Frank Montanaro to table this matter until the next Board Meeting. After discussion, all Board Members present voted in favor of the Motion.

2. Case No. ULP-5744
City of Cranston & Teamsters Local Union No. 251

A Motion was made by Ellen Jordan and seconded by Frank Montanaro to table this matter until the next Board Meeting. After discussion, all Board Members present voted in favor of the Motion.

3. Case No. ULP-5761
City of Cranston & RI Laborers' District Council

A Motion was made by Ellen Jordan and seconded by Frank Montanaro to table this matter until the next Board Meeting. After discussion, all Board Members present voted in favor of the Motion.

MISCELLANEOUS MATTERS:

1. Drafted Rules and Regulations

All Board Members present reviewed the proposed Amended changes to the Board's Rules and Regulations submitted by the Administrator of the Board. A Motion was made by Gerald Goldstein and seconded by John Capobianco to accept the proposed Amended changes by the Administrator as written. After discussion, all Board Members

present voted in favor of the Motion. A Motion was made by Gerald Goldstein and seconded by John Capobianco to schedule the public hearing on the proposed Amended changes for November 2, 2006 in accordance with the R.I. General Laws Section 42-35-3. After discussion, all Board Members present voted in favor of the Motion.

Frank Montanaro made a Motion for the Board to go into Closed Session for the purpose of reviewing Unfair Labor Practice Charges and Miscellaneous Matters and the minutes to be closed, pursuant to 42-46-5(a)(2)(4) of the Open Meetings Law. It was seconded by Joseph Mulvey, 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 9:25 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.

UNFAIR LABOR PRACTICE CHARGES:

1. Case No. ULP-5784
Middletown Public Library Board of Trustees & NEARI

DETERMINATION: issue a Complaint and proceed to formal hearing.

2. Case No. ULP-5815
Marion J. Mohr Memorial Library & USAW-RI

DETERMINATION: issue a Complaint and proceed to formal hearing.

MISCELLANEOUS MATTERS:

1. ULP-5795
State of RI – Division of Motor Vehicles &
RI Council 94, AFSCME, AFL-CIO

DETERMINATION: to deny the Motions and proceed to formal hearing

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2. ULP- 5792
State of RI - Department of Health &
RI Council 94, AFSCME, AFL-CIO

DETERMINATION: to dismiss the matter

A Motion to adjourn was made by Ellen Jordan, and it was seconded by Gerald Goldstein, and it was unanimously,

VOTED: to adjourn the meeting at 9:45 a.m.