



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](http://www.dlt.state.ri.us/lrb)

## OPEN MINUTES BOARD MEETING

**TIME:** 9:00 a.m.  
**DATE:** Tuesday, January 9, 2007  
**PLACE:** 1511 Pontiac Ave., Building #73, 2nd Floor, Cranston, RI 02920

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

**OTHERS PRESENT:** Robyn H. Golden, Administrator  
Dianalynn Saccoccio, Case Agent  
Margaret Hogan, Esquire

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Chairman Lanni called the meeting to order in Open Session at 9:10 a.m.

All members reviewed the Open Minutes of the December 21, 2006 Board Meeting. A Motion was made by Joseph Mulvey 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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**CONSENT AGREEMENT & AFFIDAVIT CASES:**

1. Case No. EE-3538  
City of Cranston & Teamsters Local No. 251  
**UNIT CLARIFICATION:** Employability Coordinator

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Joseph Mulvey and seconded by John Capobianco to acknowledge and accept the parties' signed agreement; that the position(s) of **Employability Coordinator**, shall be and is hereby **accreted** into the bargaining unit as defined by Certification No. EE-3538. After discussion, all Board Members voted in favor of the Motion.

**CONCLUDED CASES:**

1. Case No. EE-3623  
Town of Hopkinton & RI Council 94, AFSCME, AFL-CIO

This case was heard formally by Walter Lanni, John Capobianco, Elizabeth Dolan, and Gerald Goldstein. Frank Montanaro, Joseph Mulvey, and Ellen Jordan reviewed the transcript and briefs, as well as the evidence submitted therein.

After review, a Motion was made by Frank Montanaro and seconded by John Capobianco to uphold the charge and find that the Employer had committed an Unfair Labor Practice. After discussion, Walter Lanni and Joseph Mulvey voted in favor of the Motion. Gerald Goldstein, Ellen Jordan, and Elizabeth Dolan voted against the Motion. Motion passed.

**DRAFTED DECISIONS:**

1. Case No. ULP-5769  
Newport School Committee & Teachers' Association of Newport/NEARI

A Motion was made by John Capobianco and seconded by Elizabeth Dolan to table this matter until the next Board Meeting. After discussion, all Board Members voted in favor of the Motion.

2. Case No. ULP- 5777  
City of Warwick / Warwick Public Library & RI Federation of Teachers  
& Health Professionals

This case was heard formally by Walter Lanni, Joseph Mulvey, John Capobianco, Gerald Goldstein, Ellen Jordan and Elizabeth Dolan. Frank Montanaro reviewed the transcript and briefs, as well as the evidence submitted therein.

After review of the drafted decision, a Motion was made by Joseph Mulvey and seconded by John Capobianco to sign the Decision and Order, as written. After discussion, all Board Members voted in favor of the Motion and did sign the Decision and Order, as written. Elizabeth Dolan, Ellen Jordan, and Gerald Goldstein signed the Decision and Order as dissenting. Motion passed.

**ORDER:** 1) The Employer is hereby ordered to post a copy of this decision and order on all employee bulletin boards for a period not less than ninety days. The decision shall be posted within three business days of receipt thereof. 2) The Employer is also ordered to supply a copy of this decision to each of its employees, to be delivered with their next paychecks. 3) The Employer is ordered to cease and desist from refusing to recognize exclusive bargaining agents after agreeing to card checks to determine majority status.

3. Case No. ULP-5804  
Greenville Water District & Teamsters Local 251

This case was heard formally by Walter Lanni, Frank Montanaro, Joseph Mulvey, John Capobianco, and Ellen Jordan. Elizabeth Dolan and Gerald Goldstein reviewed the transcript and briefs, as well as the evidence submitted therein.

After review of the drafted decision, a Motion was made by Frank Montanaro and seconded by John Capobianco to sign the Decision and Order, as written. After discussion, all Board Members voted in favor of the Motion and did sign the Decision and Order, as written. Motion passed.

**ORDER:** The Employer is hereby ordered to implement the counterproposal it made on April 18, 2006 and execute a written contract embodying those terms within thirty (30) days from the date of this decision and order.

**MISCELLANEOUS MATTERS:**

1. Case No. EE-3679  
Town of West Warwick & NEARI  
**Petition for Representation**

After review of procedural matters in this case, a Motion was made by Frank Montanaro and seconded by John Capobianco, to proceed administratively through the process of a Direction of Election; to conduct an election by secret ballot, under the supervision of the Board or its Agent, at a time, date and place to be determined by the Board. After discussion, all Board Members voted in favor of the Motion. Motion passed.

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Gerald Goldstein made a Motion for the Board to go into Closed Session for the purpose of reviewing the 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 Elizabeth Dolan, 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 9:35 a.m.

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The meeting resumed in open session at 9:55 a.m. for the purposes of reading into the Minutes the determinations made by the Board in Closed Session.

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**MISCELLANEOUS MATTERS:**

1. **Conciliation Services Listing:**

**Determination:** to limit the appointments of the Applicants to the New England states; to form a listing of Conciliators; and that the appointments of the Conciliators will be made by the Board on an as-needed basis.

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A Motion to adjourn was made by Frank Montanaro and seconded by John Capobianco, and it was unanimously,

**VOTED:** to adjourn the meeting at 10:00 a.m.