



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.ri.gov/lrb](http://www.dlt.ri.gov/lrb)

## OPEN MINUTES BOARD MEETING

**TIME:** 9:00 a.m.  
**DATE:** Tuesday, October 14, 2008  
**PLACE:** 1511 Pontiac Ave., Building #73, 2nd Floor, Cranston, RI 02920

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

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

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Chairman Lanni called the meeting to order in Open Session at 9:15 a.m.

All Board Members reviewed the Open Minutes of the August 19, 2008 Board Meeting. A Motion was made by John Capobianco and seconded by Joseph Mulvey 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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**REPRESENTATION CASES:**

1. Case No. EE- 3708  
Town of Scituate/Scituate Fire & Rescue Engineering Board &  
International Association of Fire Fighters (IAFF)

**BOARD MEMBER, FRANK MONTANARO, RECUSED HIMSELF FROM PARTICIPATING IN THIS MATTER.**

After review of the informal notes, a Motion was made by John Capobianco and seconded by Elizabeth Dolan to proceed to formal hearing. After discussion, all Board Members voted in favor of the Motion. Motion passed.

**UNIT CLARIFICATION CASES:**

1. Case No. EE-3167  
Providence School Committee & RI Laborers' District Council, Local 1033

After review of the informal notes and the Employer's response, a Motion was made by John Capobianco and seconded by Elizabeth Dolan to proceed to formal hearing. After discussion, all Board Members voted in favor of the Motion. Motion passed.

2. Case No. EE-3575  
State of RI – Department of Health & RI Department of Health Professional Staff  
Association /NEA

After review of the Investigator's report, a Motion was made by John Capobianco and seconded by Elizabeth Dolan to accept the Investigator's report as written; thus, to **preliminarily accrete** the position(s) of **Molecular Biologist** into the bargaining unit defined in Case No. EE-3575. After discussion, all Board Members voted in favor of the Motion. Motion passed.

3. Case No. EE- 3690  
Town of West Greenwich & RI Laborers' District Council, Local 1322

After review of the Investigator's report and the parties' responses, a Motion was made by John Capobianco and seconded by Elizabeth Dolan to proceed to formal hearing. After discussion, all Board Members voted in favor of the Motion. Motion passed.

**CONCLUDED CASES:**

1. Case No. ULP- 5872  
Department of Health & Department of Health Professional Association /NEARI

Walter Lanni, Elizabeth Dolan, Frank Montanaro, Ellen Jordan, Gerald Goldstein, Joseph Mulvey, and John Capobianco heard this matter formally.

After review, a Motion was made by Gerald Goldstein and seconded by Ellen Jordan to dismiss the charge. After discussion, Walter Lanni and Elizabeth Dolan voted in favor of the Motion. Frank Montanaro, Joseph Mulvey, and John Capobianco voted in opposition to the Motion. Motion passed.

**DRAFTED DECISION AND ORDERS:**

1. Case No. ULP- 5833  
State of RI – Department of Elderly Affairs & RI Council 94,  
AFSCME, AFL-CIO

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

2. Case No. ULP- 5848  
CCRI & CCRI ESPA/NEA

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

3. Case No. ULP- 5867  
Middletown School Committee & CCRI PSA/NEARI/NEA

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

4. Case No. EE- 1679  
Middletown School Committee & NEARI

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

**MISCELLANEOUS MATTERS:**

1. Drafted Rules and Regulations

All Board Members 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 Elizabeth Dolan to accept the proposed Amended changes by the Administrator as written. After discussion, all Board Members voted in favor of the Motion. Motion passed.

A Motion was made by Gerald Goldstein and seconded by Elizabeth Dolan to schedule the public hearing on the proposed Amended changes for December 9, 2008 in accordance with the R.I. General Laws Section 42-35-3. After discussion, all Board Members voted in favor of the Motion. Motion passed.

2. Case No. EE- 3700  
Central Falls Detention Facility Corporation & Teamsters, Local 251

After review and consideration of all Motions filed by the parties, a Motion was made by Frank Montanaro and seconded by John Capobianco to amend the Decision and Order in this matter to clarify the eligibility of said employees for voting purposes, as well as to extend the administrative timeframe to conduct the election by an additional thirty (30) days to November 26, 2008. After discussion, all Board Members voted in favor of the Motion. Motion passed.

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Frank Montanaro made a Motion for the Board to go into Closed Session for the purpose of reviewing the 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 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 9:55 a.m.

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The meeting resumed in open session at 10:00 a.m. for the purpose of reading into the Minutes the determinations made by the Board in Closed Session.  
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**UNFAIR LABOR PRACTICE CASES:**

1. Case No. ULP- 5906  
City of Providence & International Association of Fire Fighters (IAFF)

**BOARD MEMBER, FRANK MONTANARO, RECUSED HIMSELF FROM PARTICIPATING IN THIS MATTER.**

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

2. Case No. ULP- 5914  
Town of Westerly & RI Laborers' District Council, Local 15

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

3. Case No. ULP- 5915  
Little Compton School Committee & Little Compton Association  
Education Support Personnel /NEA

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

4. Case No. ULP- 5926  
RI Board of Governor for Higher Education – University of Rhode Island (PTFU)

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

5. Case No. ULP- 5928  
City of Providence & Providence Fire Fighters Local 799,  
International Association of Fire Fighters (IAFF)

**BOARD MEMBER, FRANK MONTANARO, RECUSED HIMSELF FROM PARTICIPATING IN THIS MATTER.**

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

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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 10:15 p.m.