



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, November 14, 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
Harry F. Winthrop
Stan Israel
Lawrence E. Purtill

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 9:05 A.M.

All Board Members present reviewed the Open Minutes of the October 10, 2023 Board Meeting. A Motion was made by Stan Israel and seconded by Kenneth B. Chiavarini to accept the Open Minutes as written, and it was

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

1. CONSENT ORDERS:

(a) ULP- 6373 City of Pawtucket & Pawtucket Fraternal Order of Police, Lodge #4

A Motion was made by Stan Israel and seconded by Kenneth B. Chiavarini to accept the parties Consent Order in the above-entitled matter. After discussion, all Board Members voted in favor of the Motion. Motion passed.



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- (b) ULP- 6374 City of Pawtucket & Pawtucket Firefighters/International Association of Fire Fighters, Local 1261

A Motion was made by Stan Israel and seconded by Kenneth B. Chiavarini to accept the parties Consent Order in the above-entitled matter. After discussion, all Board members voted in favor of the Motion. Motion passed.

2. CONCLUDED CASES: (Review and Determination):

- (a) ULP- 6348 City of East Providence & International Brotherhood of Police Officers, Local 569

A Motion was made by Stan Israel and seconded by Scott G. Duhamel to uphold the unfair labor practice Complaint in this matter; and that this matter be referred to the Board's Legal Counsel for drafting of such Decision & Order to that effect. After discussion, Scott G. Duhamel, Stan Israel and Lawrence Purtill voted in favor of the Motion. Walter J. Lanni, Aronda R. Kirby, Kenneth B. Chiavarini and Harry F. Winthrop opposed the Motion. Motion failed.

A Motion was then made by Aronda R. Kirby and seconded by Kenneth B. Chiavarini to deny and dismiss the unfair labor practice in this matter; and that this matter be referred to the Board's Legal Counsel for drafting of such Decision & Order of Dismissal to that effect. Walter J. Lanni, Aronda R. Kirby, Kenneth B. Chiavarini and Harry F. Winthrop voted in favor of the Motion. Scott G. Duhamel, Stan Israel and Lawrence Purtill opposed the Motion. Motion passed.

4. DECISION AND ORDER MATTERS: (Review and Determination/Signing):

- (a) EE- 3406A State of Rhode Island – Department of Health & Department of Health Professional Staff Association/NEARI & RI Council 94, AFSCME, AFL-CIO, Local 2870

This case was heard formally on March 30, 2023 by Walter J. Lanni and Aronda R. Kirby and on June 29, 2023 by Walter J. Lanni, Kenneth B. Chiavarini, Harry F. Winthrop, Stan Israel and Lawrence Purtill, as well as all Board Members present reviewed the transcript(s) and briefs, as well as the evidence submitted herein.



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After review of the Drafted Decision and Order, a Motion was made by Aronda R. Kirby and seconded by Stan Israel to sign the Decision and Order, as written, and to refer the case back to the Programming Services Officer of the Board for final proofing; with the direction to issue the same as soon as possible. All Board Members voted in favor of the Motion. Motion passed.

ORDER: Council 94 has not demonstrated by a fair preponderance of the evidence that the CPLW position is improperly classified as a professional position and should be removed from the NEARI unit and placed in the Council 94 unit. Therefore, the CPLW position will remain within the NEARI bargaining unit.

A Motion was made by Lawrence Purtill to go into Closed Session for the purpose of review/voting on the Closed Minutes, Unfair Labor Practice Matters, Open Meetings Complaint and update on pending litigation, pursuant to R.I. Gen. Laws §42-46-5(a)(2)(4) of the Open Meetings Law. Harry F. Winthrop seconded the Motion, and it was unanimously

VOTED: by all Board Members to go into closed session and to seal the minutes.

The meeting and minutes were closed at 9:25 A.M.

A Motion was made by Stan Israel and seconded by Harry F. Winthrop to re-open the Open session at 9:55 a.m. for the purpose of reading into the record, a record of all votes taken in Closed Session. All Board Members voted in favor of the Motion. Motion passed.

The meeting resumed in open session at 9:55 A.M. for the purpose of reading into the minutes, the determinations made by the Board in Closed Session, and adjourning the Board meeting.

1. REVIEW OF CLOSED MINUTES:

Minutes of October 10, 2023

DETERMINATION: A Motion was made by Aronda R. Kirby, and seconded by Stan Israel, 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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2. UNFAIR LABOR PRACTICE MATTERS:

(a) ULP- 6380 State of Rhode Island – Department of Transportation & Local 400, IFPTE

DETERMINATION: A Motion was made by Aronda R. Kirby and seconded by Stan Israel to uphold the Charge, issue a Complaint and proceed to formal hearing in this matter. After discussion, all Board Members voted in favor of the Motion. Motion passed.

(b) ULP- 6381 State of Rhode Island – Department of Public Safety – Division of Sheriffs & RI Council 94, AFSCME, AFL-CIO, Local 2409

DETERMINATION: A Motion was made by Stan Israel and seconded by Lawrence Purtill to uphold the Charge, issue a Complaint and proceed to formal hearing in this matter. After discussion, Stan Israel, Lawrence Purtill and Scott G. Duhamel voted in favor of the Motion. Walter J. Lanni, Aronda R. Kirby, Kenneth B. Chiavarini and Harry F. Winthrop opposed the Motion. Motion failed.

A Motion was then made by Aronda R. Kirby and seconded by Kenneth B. Chiavarini to hold the matter in abeyance until after the completion of the grievance/arbitration process and specifically retains the right to review any final determination to make sure it is consistent with the tenants of the Act. All Board Members voted in favor of the Motion. Motion passed.

(c) ULP- 6383 Community College of Rhode Island/RI Council on Post-Secondary Education & Community College of Rhode Island Faculty Association/NEARI

DETERMINATION: A Motion was made by Stan Israel and seconded by Scott G. Duhamel to uphold the Charge, issue a Complaint and proceed to formal hearing in this matter. After discussion, Walter J. Lanni, Scott G. Duhamel, Stan Israel, Harry F. Winthrop and Lawrence Purtill voted in favor of the Motion. Aronda R. Kirby and Kenneth B. Chiavarini opposed the Motion. Motion passed.

(d) ULP- 6384 Foster-Glocester Regional School Committee & National Education Association Rhode Island Ponaganset

DETERMINATION: A Motion was made by Stan Israel and seconded by Aronda R. Kirby to uphold the Charge, issue a Complaint and proceed to formal hearing in this matter. After discussion, all Board Members voted in favor of the Motion. Motion passed.



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3. **MISCELLANEOUS MATTERS:**

- (a) Open Meetings Complaint – Case No.: ULP- 6297 and ULP- 6349 (RIDE Legal Counsel/Hearing Officer Professional Union)

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

- (b) Updated on pending Litigation

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

A Motion was made by Aronda R. Kirby, and seconded by Scott G. Duhamel, to adjourn at 10:00 a.m. All Board Members voted in favor of the Motion. Motion passed.

DRAFT