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Supreme Court

No. 93-59-M.P.

Warwick School Committee,  
by its members

v.

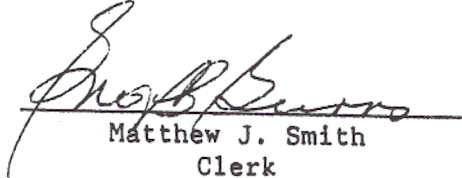
Rhode Island State Labor :  
Relations Board, et al. :

O R D E R

The petition for writ of certiorari is denied as moot.

Entered as an Order of this Court this 11th day of March 1993

By Order,

  
Matthew J. Smith  
Clerk

Supreme Court

No. 93-59-M.P.

Warwick School Committee  
By Its Members

v.

Rhode Island State Labor  
Relations Board et al. :

O R D E R

This case came before the duty justice on a motion for stay filed by the Warwick School Committee (school committee) in aid of a petition for certiorari which seeks review of an order of the Superior Court denying a stay of a decision rendered by the Rhode Island State Labor Relations Board (board) which determined that a collective bargaining agreement between the school committee and the Warwick Teachers Union (union) continued in effect following the expiration of the agreement on August 31, 1991. The board had ordered the school committee to implement retroactively to September 1, 1991 all of the provisions of the expired contract.

After reading the petition for certiorari and the memorandum in support thereof, and after discussing the issues with counsel for the school committee, the board, and the union, the duty justice issues the following order:

1. The decision of the Superior Court in enforcement of the board's order and the board's order itself are hereby stayed in the following respects; (a) the provisions of the '88-'91 contract in respect to class size and weighting of certain students with disabilities in respect to class size will be stayed (b)

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the requirement of rehiring school teachers who were laid off or terminated in alleged violation of the '88-'91 contract will be stayed.

2. The foregoing stay will be in effect until this court determines whether or not to issue its writ of certiorari in response to the petition.

3. The decision of the board in respect to step increases will be stayed insofar as it would require retroactive payment of said step increases from the expiration of the '88-'91 contract. However, step increases as they would accrue from and after the date of this order will not be stayed and should be paid as they become due by the school committee. The partial stay in respect to step increases will continue until this court decides whether or not to issue its writ of certiorari in response to the petition.

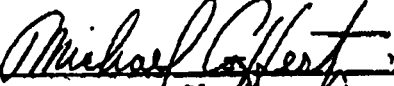
4. Counsel for the union and the board may have twenty (20) days in which to respond to the petition for certiorari and to file memoranda in support of their objection to the issuance of the writ. Counsel will in that same period of time file memoranda in support of their objections to any further stay of the order of the Superior Court and the board.

5. Counsel for the school committee may have a further five (5) days from the filing of memoranda by counsel for the union and the board to file a memorandum in opposition to the memoranda filed by the union and the board.

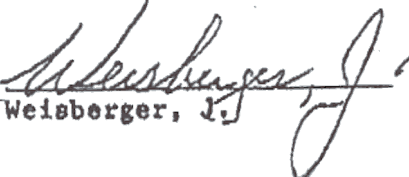
6. After the filing of final memoranda by counsel for the school committee, this case shall be placed upon the next conference calendar of this court for determination of the issuance of a writ of certiorari and for the determination of any further stay in aid thereof.

Entered as an Order of this Court this 3rd day of February 1993.

By Order,

  
Clerk

Enter:

  
Weisberger, J.