



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, December 6, 2007
PLACE: 1511 Pontiac Ave., Building #73, 3rd Floor, Cranston, RI 02920

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

MEMBERS ABSENT: Elizabeth Dolan
Gerald Goldstein

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

Chairman Lanni called the meeting to order in Open Session at 9:16 a.m.

A motion was made by John Capobianco and seconded by Ellen Jordan to move to open the Public Hearing on the proposed changes for January 1, 2008 Board's Rules and Regulations. All Board members present voted in favor of the Motion. Motion passed.

A motion was made by John Capobianco and seconded by Frank Montanaro to approve the Rules and Regulations, as amended, with the effective date of January 1, 2008. All Board members present voted in favor of the Motion. Motion passed.

A motion was made by Ellen Jordan and seconded by Frank Montanaro to close the Public Hearing. All Board members present voted in favor of the Motion. Motion passed.

The public hearing closed at 9:25 a.m.

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The meeting resumed in open session at 9:25 a.m. in Open Session.

All members reviewed the Open Minutes of the November 1, 2007 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 present to accept the minutes as written.

The meeting continued in open session:

UNIT CLARIFICATION CASES:

1. Case No. EE-3575
State of RI – Department of Health & NEARI

After review of the Investigator's report and the Union's response, a Motion was made by Frank Montanaro and seconded by John Capobianco to accept the Investigator's report as written; thus, to **preliminarily accrete** thirty (30) position(s) of **Senior Public Health Promotion Specialist** into the bargaining unit defined in Case No. EE-3575; and to proceed to formal hearing on the position(s) held by Michael Simoli, Maureen Ross, and Touthoua Xiong. After discussion, all Board members present voted in favor of the Motion. Motion passed.

CONCLUDED CASES:

2. Case No. ULP-5842
State of RI – Department of Labor and Training & RI Council 94, AFSCME, AFL-CIO

A motion was made by Frank Montanaro and seconded by John Capobianco to deny the Motion to Exclude the Memorandum by the Union filed by the Employer. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

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

3. State of RI & Various Departments – Re-organization
Motion for Consolidation

A motion was made by Joseph Mulvey and seconded by John Capobianco to deny the Motion to Consolidate all informal hearings slated for various Departments within the State of RI filed by the Employer. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

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 by 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 9:45 a.m.

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.

UNFAIR LABOR PRACTICE CASES:

1. ULP- 5868
Middletown School Committee & NEA Middletown NEARI/NEA

DETERMINATION: issue a Complaint and proceed to formal hearing.

2. ULP- 5869
Central Falls Detention Facility Corporation & Teamsters, Local 251

DETERMINATION: matter tabled to the next monthly Board meeting – January 2008.

3. ULP- 5872
State of RI – Department of Health & Department of Health Professional Staff Association

DETERMINATION: issue a Complaint and proceed to formal hearing.

4. ULP- 5876
East Greenwich School Committee & East Greenwich Education Association NEARI

DETERMINATION: issue a Complaint and proceed to formal hearing.

5. ULP- 5880
City of Pawtucket & RI Council 94, AFSCME, AFL-CIO

DETERMINATION: issue a Complaint and proceed to formal hearing.

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A Motion to adjourn was made by Joseph Mulvey and seconded by Frank Montanaro, and it was unanimously,

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