



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Rhode Island State Labor Relations Board

1511 Pontiac Avenue
Building 73, 2nd floor
Cranston, Rhode Island 02920-4407
Website: www.dlt.ri.gov/lrb

OPEN MINUTES BOARD MEETING

TIME: 9:00 a.m.
DATE: Thursday, November 19, 2009
PLACE: 1511 Pontiac Ave., Building #73, 3rd Floor, Cranston, RI 02920

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

OTHERS PRESENT: Robyn H. Golden, Administrator
Lisa L. Ribezzo, Labor Board Case Agent
Margaret L. Hogan, Esq.

Chairman Lanni called the meeting to order in Open Session at 9:20 a.m.

All Board Members reviewed the Open Minutes of the October 27, 2009 Board Meeting. A Motion was made by John Capobianco and seconded by Frank Montanaro 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:

CONCLUDED CASES:

1. Case No. ULP- 5964
Town of Warren & United Steelworkers of America, United Steelworkers, Local 14845

Ellen Jordan, Elizabeth Dolan, John Capobianco, and Gerald Goldstein heard this matter formally; Walter Lanni and Frank Montanaro reviewed the transcript(s) and briefs, as well as the evidence submitted therein.

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After review of the above-entitled matter, a preliminary Motion was made by Elizabeth Dolan and seconded by John Capobianco to uphold the charge and find that the Employer had committed an Unfair Labor Practice; and that this matter be referred to the Board's Legal Counsel for drafting of the Decision and Order to that effect. After discussion, all Board Members voted in favor of the Motion. Motion passed.

DRAFTED DECISION AND ORDERS:

1. Case No. ULP- 5901
Newport School Department & RI Council 94, AFSCME, AFL-CIO

A Motion was made Elizabeth Dolan and seconded by Ellen Jordan 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. EE- 3690
Town of West Greenwich & RI Laborers District Council, Local 1322

A Motion was made Elizabeth Dolan and seconded by Ellen Jordan 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. Case No. ULP- 5966
City of East Providence & International Brotherhood of Police Officers (IBPO)
(Motion for Reconsideration)

Upon submission of a Motion for Reconsideration of the above-entitled matter, submitted by the Petitioner, a Motion was made by John Capobianco and seconded by Frank Montanaro to grant the Motion to re-examine the issue at hand. All Board Members voted in favor of the motion. Motion passed.

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Upon review of further information, a Motion was made by Frank Montanaro and seconded by John Capobianco to uphold the charge in this matter, issue a Complaint, and proceed to formal hearing. After discussion, all Board Members voted in favor of the Motion. Motion passed.

2. Electronic Recording System

After review of an extensive report done by Administrator Golden and the Board's Agent concerning the feasibility of purchasing an Electronic Recording System for all Board Hearings, a Motion was made by Frank Montanaro and seconded by John Capobianco to decline going with the electronic recording system for all Board Hearings. After discussion, all Board Members 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, Miscellaneous Matters, and the Minutes to be closed, pursuant to 42-46-5(a)(2)(4) of the Open Meetings Law. Elizabeth Dolan seconded the Motion 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 10:15 a.m.

The meeting resumed in open session at 10:20 a.m. for the purposes of reading, into the minutes, the determinations made by the Board in Closed Session.

UNFAIR LABOR PRACTICE CASES:

1. Case No. ULP- 5982
Providence School Committee & RI Laborers' District Council, Local 1033

DETERMINATION: matter tabled.



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2. Case No. ULP- 5984
Town of Westerly & RI Laborers' District Council, Local 808

DETERMINATION: uphold the charge, issue a Complaint, and proceed to formal hearing.

3. Case No. ULP- 5987
Town of North Providence & North Providence Fraternal Order of Police, Lodge 13

DETERMINATION: uphold the charge, issue a Complaint, and proceed to formal hearing.

A Motion to adjourn was made by John Capobianco and seconded by Elizabeth Dolan, and it was unanimously,

VOTED: to adjourn the meeting at 10:25 a.m.