



STATE OF RHODE ISLAND
RI STATE LABOR RELATIONS BOARD

DO NOT WRITE IN THIS SPACE	
Case No.	Date Filed
ULP- 6088	JUN 14 A 9 23

IN THE MATTER OF
Town of North Kingstown

RESPONDENT

-AND-

North Kingstown Firefighters, Local 1651, IAFF, AFL-CIO

COMPLAINANT

AMENDED

UNFAIR LABOR PRACTICE CHARGE
PURSUANT TO R.I.G.L. 28-7-13 / 28-7-13(1)
RI STATE LABOR RELATIONS ACT

FILE AN ORIGINAL, SIGNED IN BLUE INK, WITH THE BOARD. THIS FORM MUST BE TYPED

1. Charge filed by or on behalf of (check one): Individual Employee Organization Employer
If the box titled 'Individual' is checked and the person is represented by a labor organization, in accordance with the Board's Rules and Regulations, Section 9.01.1: The Complainant "shall attach to the Charge an Affidavit which attests to the Labor Organization's refusal to file."

2. Name of Employer: Town of North Kingstown
Address: 80 Boston Neck Road, North Kingstown, Rhode Island 02852-5762
Representative (if known): Michael Embury Telephone Number: 401-294-3331

3. Name of Employee Organization: North Kingstown Firefighters, Local 1651
Address: P.O. Box 844, North Kingstown, Rhode Island 02852
Telephone Number: Facsimile: Email:

4. This charge is filed against: EMPLOYER EMPLOYEE ORGANIZATION

5. State the applicable section or sections of the Act which are alleged to be violated. **Failure to specify appropriate subsection(s) may result in dismissal of charge.**
The above named Employer has engaged or is engaging in Unfair Labor Practice(s) within the meaning of RIGL 28-7-13 Subsection(s) (6), (10) and (11)

OR

The above named Employee Organization has engaged or is engaging in Unfair Labor Practice(s) within the meaning of RIGL 28-7-13.1 Subsection(s)

6. Summary of basis of Charge. Be specific as to names, dates, addresses, etc.
(Attach additional sheets if necessary.)
See Attached.

7. Without limiting your rights to later amend your remedial request, please explain what remedy you seek.
See Attached.

PETITIONER Elizabeth Wiens DATE: June 13, 2012

SIGNATURE

Name: Elizabeth Wiens Title: Attorney

Address: 420 Scrabbletown Road, Suite C, North Kingstown, Rhode Island 02852

Telephone: 401-294-4700 Cellular No.:

Facsimile: 401-294-4702 Email: Ewiens@rilaborlaw.com

AUG 06 2012

In the MATTER of	*	
	*	
RHODE ISLAND STATE	*	
LABOR RELATIONS BOARD	*	
	*	
-AND-	*	CASE NO. ULP-6088
	*	
	*	
<u>TOWN OF NORTH KINGSTOWN</u>	*	

COMPLAINT

It having been charged by North Kingstown Fire Fighters, Local 1651, International Association of Fire Fighters (IAFF), hereinafter referred to as the Complainant that the Town of North Kingstown, through its Town Manager, Michael E. Embury and its Town Council, Elizabeth S. Dolan, President, Michael Bestwick, Steven DeToy, Carol Hueston, and Charles Stamm, hereinafter referred to as the Respondents, have been and are now engaging in certain unfair labor practices as set forth and defined in Title 28, Chapter 7, Section 13 of the General Laws of the State of Rhode Island, 1956, as amended, hereinafter referred to as the Act, the Rhode Island State Labor Relations Board, hereinafter referred to as the Board, acting pursuant to Section 21 of the Act, hereby issues its Complaint and alleges the following:

1. That the Town of North Kingstown is a municipal corporation, duly organized under the Constitution and the General Laws of Rhode Island, with its headquarters at the North Kingstown Town Hall, 80 Boston Neck Road, North Kingstown, RI.
2. That the North Kingstown Fire Fighters, Local 1651, International Association of Fire Fighters (IAFF), is a labor organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining and of dealing with employers in grievances or other mutual aid or protection.
3. That the Employer violated R.I.G.L. 28-7-13 (6) and (10) when, on March 6, 2012, the Employer unilaterally changed terms and conditions of employment, including hours and wages, without bargaining to impasse and without exhausting all statutory dispute resolution mechanisms under the Fire Fighters Arbitration Act.
4. That the aforesaid unfair labor practices engaged in by the Respondents have resulted in the denial of the rights of employees as guaranteed them by law and has tended to lead to strife and unrest inimical to the public safety, health and welfare. Such practices are in violation of the policies and provisions of the Rhode Island State Labor Relations Act and are in violation of Title 28, Chapter 7, Section 13 of the General Laws of the State of Rhode Island, 1956, as amended.

WHEREFORE, the Rhode Island State Labor Relations Board on the 2nd day of August 2012 issues its Complaint against the said Respondents.

RHODE ISLAND STATE LABOR RELATIONS BOARD
BY: 

Administrator- Rhode Island State Labor Relations Board

NOTICE OF HEARING

PLEASE TAKE NOTICE that on the **4th** day and **11th** day of **September, A.D., 2012**, at **9:00 a.m.**, at 1511 Pontiac Avenue, Building 73, 3rd Floor, Cranston, Rhode Island, hearing(s) will be conducted before the Rhode Island State Labor Relations Board on the allegations set forth in the Complaint attached hereto, at which time and place you will have a right to appear, in person or otherwise, and to give testimony. You are further notified that you have the right to file at the Office of the Rhode Island State Labor Relations Board an answer to the Complaint within five (5) days from the date of service of said Complaint.

IN WITNESS HEREOF, the Rhode Island State Labor Relations Board has caused this, its Complaint and Notice of Hearing, to be signed by an Agent of the Rhode Island State Labor Relations Board on the 2nd day of August 2012.

RHODE ISLAND STATE LABOR RELATIONS BOARD
BY:



Administrator - Rhode Island State Labor Relations Board

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this within said Complaint and Notice of Hearing on this 2nd day of August 2012 to: Daniel K. Kinder, Esq., Little, Medeiros, Kinder, Bulman & Whitney, PC 72 Pine Street, Providence, RI 02903 and Marc Gursky, Esq., Gursky Law Associates, 420 Scrabbletown Road, North Kingstown, RI 02852, by certified mail.



LISA L. RIBEZZO