

**STATE OF RHODE ISLAND  
BEFORE THE STATE LABOR RELATIONS BOARD**

|                                |   |                          |
|--------------------------------|---|--------------------------|
| <b>In the MATTER of</b>        | * |                          |
|                                | * |                          |
| <b>RHODE ISLAND STATE</b>      | * |                          |
| <b>LABOR RELATIONS BOARD</b>   | * |                          |
|                                | * |                          |
| <b>-AND-</b>                   | * | <b>CASE NO. ULP-6110</b> |
|                                | * |                          |
|                                | * |                          |
| <b>TOWN OF NORTH KINGSTOWN</b> | * |                          |

**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, Kevin Maloney, Kerry McKay, Carol Hueston, and Richard Welch, 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 (3) and (5) when it posted and advertised a bargaining unit position as belonging to another bargaining unit.

4. That the Employer violated R.I.G.L. 28-7-13 (6) and (10) when the Chief of the Fire Department refused to bargain with the Union over terms and conditions of employment of the Assistant Fire Mechanic.

5. 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

## NOTICE OF HEARING

**PLEASE TAKE NOTICE** that on the 3<sup>rd</sup> day of October, A.D., 2013, at 9:00 a.m., at 1511 Pontiac Avenue, Building 73, 3<sup>rd</sup> 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 1<sup>st</sup> day of August 2013.

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 1<sup>st</sup> day of August 2013 to: Daniel K. Kinder, Esq., Whelan, Kinder & Siket LLP, 30 Kennedy Plaza, Suite 402, Providence, RI 02903 and Elizabeth Wiens, Esq., Gursky Law Associates, 420 Scrabbletown Road, North Kingstown, RI 02852, by certified mail.

  
Lisa L. Ribezzo