

STATE OF RHODE ISLAND BEFORE THE STATE LABOR RELATIONS BOARD

In the MATTER of

RHODE ISLAND STATE LABOR RELATIONS BOARD

-AND

CASE NO. ULP-6220

TOWN OF EAST GREENWICH

COMPLAINT

It having been charged by East Greenwich Fire Fighters Association, Local 3328, (IAFF), AFL-CIO, hereinafter referred to as the Complainant that the Town of East Greenwich, through its Town Manager, Gayle A. Corrigan, and its Town Council Members, Suzanne McGee Cienki, President, Sean M. Todd, Andrew F. Deutsch, Nino M. Granatiero, and Mark Schwager, 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 East Greenwich is a municipal corporation, duly organized under the Constitution and the General Laws of Rhode Island, with its headquarters at the East Greenwich Town Hall, 125 Main Street, East Greenwich, RI.

2. That the East Greenwich Fire Fighters Association, Local 3328, (IAFF), AFL-CIO, 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. Gen Laws § 28-7-13 (3) by filing a Declaratory Judgment Complaint on December 18, 2017 seeking to reorganize the Fire Department; by repeatedly providing knowingly false information to the Union and public both verbally and via press releases, letter, and e-mails regarding the amount of and reason for Fire Fighters overtime; by falsely claiming that the Union was “unwilling to honor its commitments” in a December 20, 2017 correspondence to Town residents; by falsely informing the Union on or about January 3, 2018 that the Town Council voted to unanimously reject the Tentative Agreement; by scheduling a meeting with the Union to discuss the language of the Tentative Agreement and then, when the Union arrived to the meeting with its Legal Counsel, informing the Union that the Town Council had rejected the Tentative Agreement; by making presentations about the Union and its members during Town Council and Personnel Board meetings that contain knowingly

false information; by conspiring with Peter Henrikson to file a frivolous complaint with the Rhode Island Ethics Commission against Union President William Perry; by proposing, on April 9, 2018, to reorganize the Fire Department, demote officers, and "layoff" six firefighters; by sending a letter to residents on April 25, 2018 containing false statements and disparaging the Union President; by sending a notice of a "Pre-Deprivation" Hearing to Union President Perry containing knowingly false statements and threatening him with discipline "up to and including termination"; by rescheduling a May 3, 2018 Pre-Deprivation Hearing for the Union President from 7:00 a.m. to 6:45 a.m. after the Union's Legal Counsel asked to move the meeting later in the day so she could attend; by failing to provide documents requested by the Union prior to the May 3, 2018 hearing; by eliminating a bargaining unit position ("Chief Clerk") without notice to the Union; by using a nonbargaining unit position ("Interim Confidential Assistant") to perform bargaining unit work; by appointing Peter Henrikson as Deputy Fire Chief on May 14, 2018; and by voting, on May 14, 2018, to reorganize the Fire Department and lay off six (6)

f the CBA, against the vehement objections of the Union and without performing any type of fiscal analysis.

4. That the Employer violated R.I. Gen Laws § 28-7-13 (5) (8) and (10) when it engaged in the twenty-nine (29) actions listed on Attachment A of the Union's ULP charge, which actions attempted to or did in fact discourage Union activity and discriminate and/or retaliate against Union members for exercising their rights under the SLRA and State Law.

5. That the Employer violated R.J. Gen Laws § 28-7-13 (6) by filing a Declaratory Judgment Complaint on December 18, 2017 seeking to reorganize the Fire Department; by failing to vote on a Tentative Agreement negotiated between the Town and Union; by falsely claiming that the Union was "unwilling to honor its commitments" in a December 20, 2017 correspondence to Town residents; by falsely informing the Union on or about January 3, 2018 that the Town Council voted to unanimously reject the Tentative Agreement; by scheduling a meeting with the Union to discuss the language of the Tentative Agreement and then, when the Union arrived to the meeting with its Legal Counsel, informing the Union that the