

Kelley, Gwenn (EOL)

From: dlr, efile (DLR) <efile.dlr@massmail.state.ma.us>
Sent: Wednesday, July 08, 2015 5:26 PM
To: hgreenspan@greenspanlawyers.com
Cc: Efile DLR (DLR)
Subject: Electronic Service of DLR Case Filing

The attached charge of prohibited practice and/or petition has been filed electronically with the Department of Labor Relations. You are being served with an electronic copy of the charge/petition because the charging party and/or petitioner has elected to use this method of service and has named you as a representative of the opposing party.

**COMMONWEALTH OF
MASSACHUSETTS
DEPARTMENT OF LABOR
RELATIONS
CHARGE OF PROHIBITED
PRACTICE
M.G.L. c.150E**

E-File Confirmation Number 1396	Date Filed 07/08/2015
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MUR-15-4687

EMPLOYER

1. Name Town of Winthrop	2. Telephone Number 617-846-1852
3,4,5,6. Address (street and No., city/town, state, and ZIP code) 1 Metcalf Square Winthrop MA 02152	7. FAX Number 617-846-1852

EMPLOYER'S LABOR RELATIONS REPRESENTATIVE

8. Name Howard Greenspan, Esq.	9. Telephone Number 781-598-4545
10,11,12,13. Address (street and No., city/town, state, and ZIP code) 200 Broadway # 304 Lynnfield MA 01940	14. FAX Number 781-598-4545
15. E-mail address hgreenspan@greenspanlawyers.com	16. Firm/Organization Name Law Offices of Howard Greenspan

EMPLOYEE ORGANIZATION (if any)

17. Name Winthrop Police Union, MCOP Local 421	18. Telephone Number 617-367-7200
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19,20,21,22. Address (street and No., city/town, state, and ZIP code) 23. FAX Number
2 Liberty Sq., 10th Floor Boston MA 02109 617-367-4820

EMPLOYEE ORGANIZATION'S LABOR RELATIONS REPRESENTATIVE

24. Name

Patrick N. Bryant

25. Telephone Number

617-367-7200

26,27,28,29. Address (street and No., city/town, state, and ZIP code)

2 Liberty Sq., 10th Floor Boston MA 02109

30. FAX Number

617-367-4820

31. E-mail Address

pbryant@pylerome.com

32. Firm/Organization Name

Pyle Rome Ehrenberg, PC

33. This charge is filed against Employer (E) or Employee Organization (O):

E

34. The above named employer or employee organization has engaged or is engaging in a prohibited practice within the meaning of Massachusetts General Law, Chapter 150E, Section(s) (enter all appropriate sections/subsections)

150E-10(a)1:150E-10(a)5

35. Summary of basis of Charge (be specific as to names, dates, addresses, etc.) Attach addition sheets, documents and/or affidavits if necessary. Please note: failure to allege specific facts may/will result in dismissal of the charge.

The Town of Winthrop has refused to provide relevant and necessary information requested by the Union in order to prepare for grievance arbitration. By email dated May 12, 2015, the Union requested the following information regarding the Town's termination of local President Ferruccio Romeo. 1. All discipline of police officers for the five years preceding Romeo's termination. 2. All complaints filed against any police officer within five years preceding Romeo's termination. 3. All documents concerning investigations or discipline of police officers for allegations of untruthfulness, false/incorrect statements or reports, failure to report to duty, unauthorized absence from duty, and falsification of time/detail -- within five years preceding Romeo's termination. 4. All communications by the Police Chief or Town official (including but not limited to the Town Manager) concerning Ferruccio Romeo for the five years preceding Romeo's termination. 5. Daily detail assignment sheets during 2014 6. Police Chief's official calendar (whether computer or paper) for 2013 and 2014 7. All memos, orders, policies, emails, and guidelines concerning detail protocol in Winthrop issued by the Town or Police Department from 2010 to present. 8. All communications, including electronic, concerning police details for DCR Winthrop Beach Restoration Project, including but not limited to communications with Stephen Colometo or Mike Vickery 9. All notes or documents pertaining to Chief's alleged interview of Ferruccio Romeo during the investigation. 10. All vendor complaints about police officers assigned to details. To date, the Town has not responded substantively to the request. The Town has provided not a single document in response to the request. The arbitration is scheduled for late August 2015. The Town initially promised to respond to the request. It never did. By email dated June 24, 2015, the Town promised to provide information within a week. It never did.

36. (a) Is there a collective bargaining agreement that may apply to the conduct that is alleged to have violated the Law?

N

(b) If you checked "Yes" in question 14(a), please list all of the clauses alleged to apply and attach a copy of each.

(c) Is there a grievance concerning this matter pending?

N

37. Without limiting your rights to later amend your remedial request, please explain what remedy you seek. Include the amount of any financial remedy to which you claim entitlement. Cease and desist. Make whole. Notice posting. And all other appropriate relief.

38. (a) Have you attempted to settle this case?

Y

(b) If not, why not?

Note: The DLR may decline to issue a complaint unless reasonable settlement efforts have been made by the charging party 456 CMR 15.04(1).

The Division may refer the charge to a Division mediator for settlement discussions.

INFORMATION ON CHARGING PARTY

39. The Charging Party is an Individual (I), Employee Organization (O), ☐ O
Employer (E):

40. Name

Winthrop Police Union, MCOP Local 421

41. Representative to contact

Patrick N. Bryant

42. Telephone
Number

617-367-7200

43,44,45,46. Address (street and No., city/town, state, and ZIP code)

2 Liberty Sq., 10th Floor Boston MA 02109

47. FAX Number

617-367-4820

48. E-mail address

pbryant@pylerome.com

DECLARATION

I have read the above charge of prohibited practice and swear under the pains and penalties of perjury that the information contained in it is true and complete to the best of my knowledge and belief.

49. Name

Patrick Bryant

50. Signature/s/

patrick bryant

51. Title (if any)

Attorney

52,53,54,55. Address (street and No., city/town, state, and ZIP code)

2 Liberty Sq., 10th Floor, Boston MA 02109

56. Telephone Number

617-367-7200

57. E-mail address

pbryant@pylerome.com

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this Charge of Prohibited Practice on the following representative of the opposing party.

58. Name of Representative
Being Served

Howard Greenspan, Esq.

59,61,62,63. Address (street and No.,
city/town, state, and ZIP code)

200 Broadway # 304 Lynnfield MA 01940

60. Telephone
Number

781-598-4545

64. E-mail address of Representative Being Served

hgreenspan@greenspanlawyers.com

65. Method of Service: In hand (H), First Class Mail (M), E-mail (E), 66.
Other (O)

E

67. Signature of Person making Certification/s/

Patrick Bryant

68. Telephone
Number

69. E-mail address

pbryant@pylerome.com

70. Do you have additional attachments?

N

The DLR does not discriminate on the basis of disability in access to its services. Inquiries, complaints or requests, including requests for auxiliary aids and information regarding access features should be directed to the ADA Coordinator (617) 626-7132. This document is available in alternative formats.