



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

DO NOT WRITE IN THIS SPACE

Case No.

MUP-23-9870

Date Filed

2/15/2023

INSTRUCTIONS: Answer all applicable questions. Failing to provide information may result in the dismissal of the charge.

Note: Pursuant to 456 CMR 15.04, the DLR will not issue a complaint unless the charging party has complied with the applicable provisions of M.G.L. c.150E, §§13 and 14.

1. Employer Winthrop Library	2. Representative to contact Elizabeth Paris	4. Telephone Number (617) 862-2005
3. Address (street and No., city/town, state, and ZIP code) 1 University Ave #300b, Westwood, MA 02090		5. Fax Number
6. Employee Organization (if any): Massachusetts Library Staff Association	7. Representative to contact Harold Jones	9. Telephone Number (617) 423-3342
8. Address (street and No., city/town, state, and ZIP code) 38 Chauncy St #402, Boston, MA 02111		10. Fax Number

11. This charge is filed against (check one)

☒ Employer ☐ Employee Organization

12. 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)

10(a)(1) and 10(a)(5)

Failing to specify an appropriate section/subsection may result in the dismissal of the charge.

13. Summary of basis of Charge (be specific as to names, dates, addresses, etc.)

The Winthrop Library (" The Employer ") has assigned a bargaining unit member to work offsite for the Art Council during work hours. This is a unilateral change of duties and as well as other working conditions (location.) The Massachusetts Library Staff Association, AFT (" the Union ") sought to bargain over the change and the Employer has refused. (See Exhibit A email exchange dated February 7th.)

In so doing, the Employer violates 10 (a)(1) and 10(a)(5)

By these and other acts, the party complained of has interfered with, restrained, and/or coerced rights guaranteed by the Law.

14. (a) Is there a collective bargaining agreement that may apply to the conduct that is alleged to have violated the Law? ☐ Yes ☒ No

(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? ☐ Yes ☒ No

15. 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.

restore the status quo and bargain over changes to the job duties of the bargaining unit member

16. Have you attempted to settle this case? ☒ Yes ☐ No
If not, why not?

The employer dismisses any obligation to bargain (see email.)

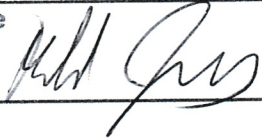
Note: The DLR may decline to issue a complaint unless reasonable settlement efforts have been made by the charging party. 456 CMR 15.04(1).

INFORMATION ON CHARGING PARTY

17. Name Massachusetts Library Staff Association	18. Representative to contact Harold Jones	20. Telephone Number (617) 423-3342
19. Address (street and No., city/town, state, and ZIP code) 38 Chauncy St #402, Boston, MA 02111		21. Fax Number
22. The Charging Party is an: ☐ Individual ☒ Employee Organization ☐ Employer		

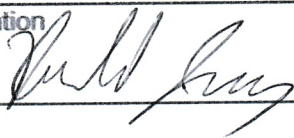
DECLARATION

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.

Name (print) Harold Jones	Signature 	Title (if any) Assoc. Counsel
Address (street and no., city/town, state, and ZIP code) 38 Chauncy St #402, Boston, MA 02111		Telephone Number (617) 423-3342

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.

Name Elizabeth Paris	Address (street and no., city/town, state, and ZIP code) 1 University Ave #300b, Westwood, MA 02090	Telephone Number (617) 862-2005
Method of Service ☐ In hand ☐ First Class Mail ☒ Other (specify): email		
Signature of Person making Certification 		Telephone Number (617) 423-3342