



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

DO NOT WRITE IN THIS SPACE	
Case No.	Date Filed

INSTRUCTIONS: Answer all applicable questions. Failing to provide information may result in the dismissal of the charge. File an original and two (2) copies of this form with the Division.
 Note: Pursuant to 456 CMR 15.04, the Division 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 Massachusetts Trial Court	2. Representative to contact Mark Conlon, Director of HR	4. Telephone Number 617-742-8575
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3. Address (street and No., city/town, state, and ZIP code) 2 Center Plaza, 5th Floor, Boston, MA 02108	5. Fax Number
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6. Employee Organization (if any): OPEIU, Local 6	7. Representative to contact George Noel, Business Agent	9. Telephone Number 781-848-6006
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8. Address (street and No., city/town, state, and ZIP code) 150 Wood Road, Suite 400, Braintree, MA 02108	10. Fax Number
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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)2
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.) 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 Trial Court unilaterally announced a program to union members in the Fiscal and Facilities Departments, entitled FY 2019 Reorganization, Departmental "Right-Sizing" which includes a Voluntary Separation Incentive Program.

On April 19, 2019, the Trial Court held a meeting with Union member employees in the Fiscal Department and the Facilities Department discussing the "Fiscal and/or Facilities' FY 2019 Reorganization, Departmental Right-Sizing" or Voluntary Separation Incentive Program plans ("VSIP"). At this meeting the Director of Court Facilities directly negotiated with employee Ray Simmons over his compensation and work location in response to this reorganization.

The Employer has unilaterally announced and discussed programs directly with employees represented by the Union in violation of Chapter 150E.



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.

Cease and desist any direct negotiations with employees over program

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

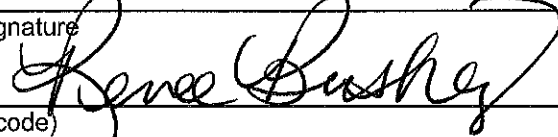
Note: The Division may decline to issue a complaint unless reasonable settlement efforts have been made by the charging party 456 CMR 15.04(1). The Division may refer the charge to a Division mediator for settlement discussions.

INFORMATION ON CHARGING PARTY

17. Name OPEIU, Local 6	18. Representative to contact Renee J. Bushey, Esq.	20. Telephone Number 617-388-1976
19. Address (street and No., city/town, state, and ZIP code) Feinberg, Campbell & Zack, P.C., 177 Milk Street, 3rd Floor, Boston, MA 02109		21. Fax Number 617-338-7070
22. The Charging Party is an: <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Employee Organization <input type="checkbox"/> Employer		

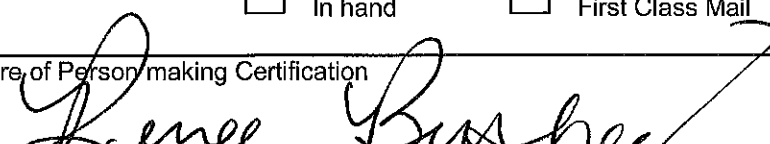
DECLARATION

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) Renee J. Bushey	Signature 	Title (if any) Attorney
Address (street and no., city/town, state, and ZIP code) Feinberg, Campbell & Zack, P.C., 177 Milk Street, 3rd Floor, Boston, MA 02109		Telephone Number 617-338-1976

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 Mark Conlon, Director of HR	Address (street and no., city/town, state, and ZIP code) 2 Center Plaza, 5th Floor, Boston, MA 02108	Telephone Number 617-742-8575
Method of Service <input type="checkbox"/> In hand <input type="checkbox"/> First Class Mail <input checked="" type="checkbox"/> Other (specify): <u>Email</u>		
Signature of Person making Certification 		Telephone Number 617-338-1976