



COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT 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.

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 Pittsfield Public Schools	2. Representative to contact Russell Dupere	4. Telephone Number (413) 562-3300
3. Address (street and No., city/town, state, and ZIP code) 94 N Elm St, Westfield, MA 01085		5. Fax Number
6. Employee Organization (if any): Pittsfield Federation of School Employees	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 Street Suite 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)

Sec 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 Pittsfield Federation of School Employees is the exclusive representative for paraprofessionals (among others) at the Pittsfield Public Schools (" the Employer ") has unilaterally hired a staffing agency, Soliant, to place paraprofessionals in the schools. See Exhibits A, B and C. These workers are performing paraprofessional bargaining unit work but are not treated as employees nor receiving the benefits of the contract. The Employer gave no notice and did not engage in any bargaining with the Union. This is an ongoing violation that the Union became aware of in October of 2022.

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.

Recognition clause

(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.

Make the Union whole including returning to the status quo and bargaining over any unilateral change.

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

This was done without any notice to the Union while the parties were already in mediation

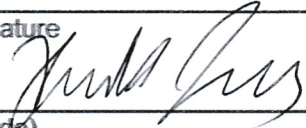
Note: The DLR may decline to issue a complaint unless reasonable settlement efforts have been made by the charging party. 456 CMR 15.04(1).

INFORMATION ON CHARGING PARTY

17. Name Pittsfield Federation of School Employees	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 Street Suite 402 Boston MA 02111		21. Fax Number
22. The Charging Party is an: <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Employee Organization <input type="checkbox"/> Employer		

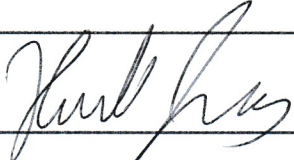
DECLARATION

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) Harold Jones	Signature 	Title (if any) Associate Counsel
Address (street and no., city/town, state, and ZIP code) 38 Chauncy Street Suite 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 Russell Dupere	Address (street and no., city/town, state, and ZIP code) 94 N Elm St, Westfield, MA 01085	Telephone Number (413) 562-3300
Method of Service <input type="checkbox"/> In hand <input type="checkbox"/> First Class Mail <input checked="" type="checkbox"/> Other (specify): EMAIL		
Signature of Person making Certification 		Telephone Number (617) 423-3342

