

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

BRISTOL/WARREN REGIONAL SCHOOL EMPLOYEES,
LOCAL 581, AFSCME, COUNCIL 94, AFL-CIO, BRISTOL
CIVILIAN POLICE DEPARTMENT EMPLOYEES, LOCAL 1853,
AFSCME, COUNCIL 94, AFL-CIO, BRISTOL SEWER
EMPLOYEES, LOCAL 1853, AFSCME, COUNCIL 94, AFL-CIO,
BURRILLVILLE TOWN EMPLOYEES UNION, LOCAL 186,
AFSCME, COUNCIL 94, AFL-CIO, BURRILLVILLE SCHOOL
DEPARTMENT EMPLOYEES, LOCAL 2231, AFSCME,
COUNCIL 94, AFL-CIO, CENTRAL FALLS CITY & SCHOOL
EMPLOYEES, LOCAL 1627, AFSCME, COUNCIL 94, AFL-CIO,
CRANSTON SCHOOL SECRETARIAL EMPLOYEES, LOCAL
2044, AFSCME, COUNCIL 94, AFL-CIO, EAST PROVIDENCE
SCHOOL EMPLOYEES, LOCAL 2969, AFSCME, COUNCIL 94,
AFL-CIO, EAST PROVIDENCE MANAGERIAL & TECHNICAL
EMPLOYEES, LOCAL 3223, AFSCME, COUNCIL 94, AFL-CIO,
EXETER-WEST GREENWICH SCHOOL DEPARTMENT
EMPLOYEES, LOCAL 2636, AFSCME, COUNCIL 94, AFL-CIO,
HOPKINTON TOWN EMPLOYEES, LOCAL 3163, AFSCME,
COUNCIL 94, AFL-CIO, JOHNSTOWN TOWN EMPLOYEES,
LOCAL 1491, AFSCME, COUNCIL 94, AFL-CIO,
MIDDLETOWN SCHOOL EMPLOYEES, LOCAL 1823,
AFSCME, COUNCIL 94, AFL-CIO, NEWPORT CITY
EMPLOYEES, LOCAL 911, AFSCME, COUNCIL 94, AFL-CIO,
NEWPORT SCHOOL DEPARTMENT EMPLOYEES, LOCAL 841,
AFSCME, COUNCIL 94, AFL-CIO, NEW SHOREHAM TOWN &
SCHOOL EMPLOYEES, LOCAL 2855, AFSCME, COUNCIL 94,
AFL-CIO, NORTH PROVIDENCE PUBLIC WORKS
DEPARTMENT EMPLOYEES, LOCAL 1491-1, AFSCME,
COUNCIL 94, AFL-CIO, NORTH SMITHFIELD TOWN
EMPLOYEES, LOCAL 937, AFSCME, COUNCIL 94, AFL-CIO,
PAWTUCKET CITY EMPLOYEES, LOCAL 1012, AFSCME,
COUNCIL 94, AFL-CIO, PAWTUCKET SCHOOL EMPLOYEES,
LOCAL 1352, AFSCME, COUNCIL 94, AFL-CIO, PAWTUCKET
PROFESSIONAL & TECHNICAL EMPLOYEES, LOCAL 3960,
AFSCME, COUNCIL 94, AFL-CIO, SOUTH KINGSTOWN TOWN
EMPLOYEES, LOCAL 1612, AFSCME, COUNCIL 94, AFL-CIO,
SOUTH KINGSTOWN SCHOOL EMPLOYEES, LOCAL 3125,
AFSCME, COUNCIL 94, AFL-CIO, TIVERTON SCHOOL
EMPLOYEES, LOCAL 2670, AFSCME, COUNCIL 94, AFL-CIO,
TIVERTON TOWN EMPLOYEES, LOCAL 2670-1, AFSCME,
COUNCIL 94, AFL-CIO, WEST WARWICK HOUSING
AUTHORITY, LOCAL 2045-1, AFSCME, COUNCIL 94, AFL-

C.A. No. PC 12- 3167

CIO, WOONSOCKET CITY EMPLOYEES, LOCAL 670, AFSCME, COUNCIL 94, AFL-CIO, WOONSOCKET SCHOOL EMPLOYEES, LOCAL 1137, AFSCME, COUNCIL 94, AFL-CIO, WOONSOCKET PROFESSIONAL & TECHNICAL EMPLOYEES, LOCAL 3851, AFSCME, COUNCIL 94, AFL-CIO; BARRINGTON EDUCATIONAL SUPPORT STAFF TEAM, NEARI, LOCAL 868, INDEPENDENT CUMBERLAND SCHOOL EMPLOYEES, NEARI, LOCAL 863, EAST GREENWICH MUNICIPAL EMPLOYEES' ASSOCIATION, NEARI, LOCAL 851, EAST GREENWICH EDUCATIONAL SUPPORT PROFESSIONALS, NEARI, LOCAL 856, EAST GREENWICH CUSTODIAL AND MAINTENANCE EMPLOYEES, NEARI, LOCAL 811, EAST PROVIDENCE TEACHERS' ASSISTANTS, NEARI, LOCAL 896, EAST PROVIDENCE SECRETARIES ASSOCIATION, NEARI, LOCAL 89, FOSTER EDUCATIONAL SUPPORT PROFESSIONALS, NEARI, GLOCESTER EDUCATIONAL SUPPORT PROFESSIONALS, NEARI, LOCAL 857, JAMESTOWN EDUCATIONAL SUPPORT PROFESSIONALS, NEARI, LOCAL 824, LITTLE COMPTON MUNICIPAL EMPLOYEES ASSOCIATION, NEARI, LOCAL 860, LITTLE COMPTON EDUCATIONAL SUPPORT PROFESSIONALS, NEARI, LOCAL 862, MIDDLETOWN AUXILIARY SCHOOL PERSONNEL, NEARI, LOCAL 853, MIDDLETOWN MUNICIPAL EMPLOYEES' ASSOCIATION, NEARI, LOCAL 869, NARRAGANSETT EDUCATIONAL SUPPORT PROFESSIONALS, NEARI, LOCAL 885, NEWPORT MUNICIPAL EMPLOYEES, NEARI, LOCAL 840, NORTH KINGSTOWN EDUCATIONAL SUPPORT PROFESSIONALS, NEARI, LOCAL 864, NORTH SMITHFIELD EDUCATIONAL SUPPORT PROFESSIONALS, NEARI, LOCAL 854, PONAGANSETT EDUCATIONAL SUPPORT PROFESSIONALS, NEARI, LOCAL 858, PORTSMOUTH MUNICIPAL EMPLOYEES' ASSOCIATION, NEARI, LOCAL 871, SCITUATE PARAPROFESSIONALS, NEARI, LOCAL 804, SMITHFIELD EDUCATIONAL SUPPORT PROFESSIONALS, NEARI, LOCAL 891, SOUTH KINGSTOWN EDUCATIONAL SUPPORT PROFESSIONALS, NEARI, LOCAL 890, SOUTH KINGSTOWN MUNICIPAL EMPLOYEES' ASSOCIATION, NEARI, LOCAL 826; WOONSOCKET TEACHER ASSISTANTS, RIFTHP, AFL-CIO, LOCAL 951, CRANSTON TEACHER ASSISTANTS, RIFTHP, AFL-CIO, LOCAL 1704, NORTH PROVIDENCE EDUCATIONAL WORKERS, RIFTHP, AFL-CIO, LOCAL 2435, NORTHERN RHODE ISLAND COLLABORATIVE EMPLOYEES' UNION, LOCAL 4940; RHODE ISLAND LABORERS' DISTRICT COUNCIL, LOCAL UNION 808, RHODE ISLAND LABORERS' DISTRICT COUNCIL, LOCAL UNION

1033, RHODE ISLAND LABORERS' DISTRICT COUNCIL, LOCAL UNION 1217, RHODE ISLAND LABORERS' DISTRICT COUNCIL, LOCAL UNION 1322; NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES, LOCAL 153, NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES, LOCAL 68, NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES, LOCAL 69, NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES, LOCAL 97, INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS, LOCAL 472, INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS, LOCAL 555,

Plaintiffs,

vs.

LINCOLN D. CHAFEE, in his capacity as GOVERNOR OF THE STATE OF RHODE ISLAND, GINA RAIMONDO, in her capacity as General Treasurer of the State of Rhode Island, and the EMPLOYEES' RETIREMENT SYSTEM OF RHODE ISLAND, by and through the RETIREMENT BOARD, by and through Gina Raimondo, in her capacity of Chairperson of the Retirement Board, and Frank J. Karpinski, in his capacity as Secretary of the Retirement Board.

Defendants.

COMPLAINT

1. This is a civil action requesting injunctive, declaratory and other relief to prohibit the unconstitutional and otherwise unlawful implementation of Public Law 2011, chapters 408 and 409, otherwise known as the Rhode Island Retirement Security Act of 2011 ("RIRSA"), as it relates to suspending and reducing the vested retirement benefits of active Rhode Island municipal general employees.

JURISDICTION

2. The jurisdiction of this Court is invoked pursuant to G.L. 1956 §§ 8-2-13, 9-30-1, as well as the Rhode Island Constitution and the general jurisdiction of the Superior Court.

PARTIES

3. Plaintiff, Bristol/Warren Regional School Employees, Local 581, AFSCME, Council 94 ("Local 581"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Bristol/Warren Regional Public School District, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 581's members participate in MERS.

4. Plaintiff, Bristol Civilian Police Department Employees, Local 1853, AFSCME, Council 94 ("Local 1853"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for dispatchers various municipal employees employed by the town of Bristol, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 1853's members participate in MERS.

5. Plaintiff, Bristol Sewer Employees, Local 1853, AFSCME, Council 94 ("Local 1853-S"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the town of Bristol, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 1853-S' members participate in MERS.

6. Plaintiff, Burrillville Town Employees, Local 186, AFSCME, Council 94 ("Local 186"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the town of Burrillville, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 186's members participate in MERS.

7. Plaintiff, Burrillville School Department Employees, Local 2231, AFSCME, Council 94 (“Local 2231”), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Burrillville School Department for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 2231’s members participate in MERS.

8. Plaintiff, Central Falls City and School Employees, Local 1627, AFSCME, Council 94 (“Local 1627”), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees, non-teaching employees and support staff employed by the City of Central Falls, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 1627’s members participate in MERS.

9. Plaintiff, Cranston School Secretarial Employees, Local 2044, AFSCME, Council 94 (“Local 2044”), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Cranston School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 2044’s members participate in MERS.

10. Plaintiff, East Providence School Employees, Local 2969, AFSCME, Council 94 (“Local 2969”), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the East Providence School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local

2969's members participate in MERS.

11. Plaintiff, East Providence Managerial & Technical Employees, Local 3223, AFSCME, Council 94 ("Local 3223"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the East Providence School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 3223's members participate in MERS.

12. Plaintiff, Exeter-West Greenwich School Department Employees, Local 2636, AFSCME, Council 94 ("Local 2636"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Exeter-West Greenwich School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 2636's members participate in MERS.

13. Plaintiff, Hopkinton Town Employees, Local 3163, AFSCME, Council 94 ("Local 3163"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the town of Hopkinton for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 3163's members participate in MERS.

14. Plaintiff, Johnston Town Employees, Local 1491, AFSCME, Council 94 ("Local 1491"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the city of Johnston for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 1491's members participate in MERS.

15. Plaintiff, Middletown School Employees, Local 1823, AFSCME, Council 94 (“Local 1823”), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Middletown School Department for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 1823’s members participate in MERS.

16. Plaintiff, Newport City Employees, Local 911, AFSCME, Council 94 (“Local 911”), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the city of Newport for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 911’s members participate in MERS.

17. Plaintiff, Newport School Department Employees, Local 841, AFSCME, Council 94 (“Local 841”), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Newport School Department for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 841’s members participate in MERS.

18. Plaintiff, New Shoreham Town & School Employees, Local 2855, AFSCME, Council 94 (“Local 2855”), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees and non-teaching employees and support staff employed by the town of New Shoreham, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 2855’s members participate in MERS.

19. Plaintiff, North Providence Public Works Department Employees, Local 1491-1, AFSCME, Council 94 (“Local 1491-1”), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for public works department employees employed by the city of North Providence for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 1491-1’s members participate in MERS.

20. Plaintiff, North Smithfield Town Employees, Local 937, AFSCME, Council 94 (“Local 937”), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the town of North Smithfield for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 937’s members participate in MERS.

21. Plaintiff, Pawtucket City Employees, Local 1012, AFSCME, Council 94 (“Local 1012”), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the city of Pawtucket for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 1012’s members participate in MERS.

22. Plaintiff, Pawtucket School Employees, Local 1352, AFSCME, Council 94 (“Local 1352”), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Pawtucket School Department for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 1352’s members participate in MERS.

23. Plaintiff, Pawtucket Professional & Technical Employees, Local 3960, AFSCME, Council 94 ("Local 3960"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the city of Pawtucket for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 3960's members participate in MERS.

24. Plaintiff, South Kingstown Town Employees, Local 1612, AFSCME, Council 94 ("Local 1612"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the town of South Kingstown for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 1612's members participate in MERS.

25. Plaintiff, South Kingstown School Employees, Local 3125, AFSCME, Council 94 ("Local 3125"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the South Kingstown School Department for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 3125's members participate in MERS.

26. Plaintiff, Tiverton School Employees, Local 2670, AFSCME, Council 94 ("Local 2670"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Tiverton School Department for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 2670's members participate in MERS.

27. Plaintiff, Tiverton Town Employees, Local 2670-1, AFSCME, Council 94 (“Local 2670-1”), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the town of Tiverton for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 2670-1’s members participate in MERS.

28. Plaintiff, West Warwick Housing Authority, Local 2045-1, AFSCME, Council 94 (“Local 2045-1”), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the West Warwick Housing Authority for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 2045-1’s members participate in MERS.

29. Plaintiff, Woonsocket City Employees, Local 670, AFSCME, Council 94 (“Local 670”), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the city of Woonsocket for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 670’s members participate in MERS.

30. Plaintiff, Woonsocket School Employees, Local 1137, AFSCME, Council 94 (“Local 1137”), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Woonsocket School Department for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 1137’s

members participate in MERS.

31. Plaintiff, Woonsocket Professional & Technical Employees, Local 3851, AFSCME, Council 94 ("Local 3851"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the city of Woonsocket for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 3851's members participate in MERS.

33. Plaintiff, Barrington Educational Support Staff Team, NEARI, Local 868 ("Local 868"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Barrington School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 868's members participate in MERS.

34. Plaintiff, Independent Cumberland School Employees, NEARI, Local 863 ("Local 863"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Cumberland School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 863's members participate in MERS.

35. Plaintiff, East Greenwich Municipal Employees' Association, NEARI, Local 851 ("Local 851"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various Rhode Island municipal employees employed by the Town of East Greenwich, for purposes of collective

bargaining and advocating for the interests of bargaining unit members. Local 851's members participate in MERS.

36. Plaintiff, East Greenwich Educational Support Professionals, NEARI, Local 856 ("Local 856"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the East Greenwich School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 856's members participate in MERS.

37. Plaintiff, East Greenwich Custodial and Maintenance Employees, NEARI, Local 811 ("Local 811"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various custodial and maintenance employees employed by the East Greenwich School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 811's members participate in MERS.

38. Plaintiff, East Providence Teacher Assistants, NEARI, Local 896 ("Local 896"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the East Providence School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 896's members participate in MERS.

39. Plaintiff, East Providence Secretaries Association, NEARI, Local 89 ("Local 89"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching

employees and support staff employed by the East Providence School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 89's members participate in MERS.

40. Plaintiff, Foster Educational Support Professionals, NEARI ("Foster ESP"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Foster School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Foster ESP's members participate in MERS.

41. Plaintiff, Gloucester Educational Support Professionals, NEARI, Local 857 ("Local 857"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Gloucester School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 857's members participate in MERS.

42. Plaintiff, Jamestown Educational Support Professionals, NEARI, Local 824 ("Local 824"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Jamestown School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 824's members participate in MERS.

43. Plaintiff, Little Compton Municipal Employees' Association, NEARI, Local 860 ("Local 860"), is a labor organization dedicated to providing representation and advocacy for its

membership. It serves as the certified bargaining representative for various municipal employees employed by the town of Little Compton, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 860's members participate in MERS.

44. Plaintiff, Little Compton Educational Support Professionals, NEARI, Local 862 ("Local 862"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Little Compton School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 862's members participate in MERS.

45. Plaintiff, Middletown Auxiliary School Personnel, NEARI, Local 853 ("Local 853"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Middletown School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 853's members participate in MERS.

46. Plaintiff, Middletown Municipal Employees' Association, NEARI, Local 869 ("Local 869"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the town of Middletown, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 869's members participate in MERS.

47. Plaintiff, Narragansett Educational Support Professionals, NEARI, Local 885 ("Local 885"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching

employees and support staff employed by the Narragansett School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 885's members participate in MERS.

48. Plaintiff, Newport Municipal Employees' Association, NEARI, Local 840 ("Local 840"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the city of Newport, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 840's members participate in MERS.

49. Plaintiff, North Kingstown Educational Support Professionals, NEARI, Local 864 ("Local 864"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the North Kingstown School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 864's members participate in MERS.

50. Plaintiff, North Smithfield Educational Support Professionals, NEARI, Local 854 ("Local 854"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the North Smithfield School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 854's members participate in MERS.

51. Plaintiff, Ponaganset Educational Support Professionals, NEARI, Local 858 ("Local 858"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching

employees and support staff employed by the Foster-Glocester Regional School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 858's members participate in MERS.

52. Plaintiff, Portsmouth Municipal Employees' Association, NEARI, Local 871 ("Local 871"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the town of Portsmouth for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 871's members participate in MERS.

53. Plaintiff, Scituate Paraprofessionals, NEARI, Local 804 ("Local 804"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Scituate School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 804's members participate in MERS.

54. Plaintiff, Smithfield Educational Support Professionals, NEARI, Local 891 ("Local 891"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Smithfield School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 891's members participate in MERS.

55. Plaintiff, South Kingstown Educational Support Professionals, NEARI, Local 890 ("Local 890"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching

employees and support staff employed by the South Kingstown School Department, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 890's members participate in MERS.

56. Plaintiff, South Kingstown Municipal Employees' Association, NEARI, Local 826 ("Local 826"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the town of South Kingstown, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 826's members participate in MERS.

57. Plaintiff, Cranston Teacher Assistants, RIFTHP, Local 1704 ("Local 1704"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Cranston School Department for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 1704's members participate in MERS.

58. Plaintiff, North Providence Educational Workers, RIFTHP, Local 2435 ("Local 2435"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the North Providence School Department for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 2435's members participate in MERS.

59. Plaintiff, Northern Rhode Island Collaborative Employees' Union, RIFTHP, Local 4940 ("Local 4940"), is a labor organization dedicated to providing representation and

advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Northern Rhode Island Collaborative for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 4940's members participate in MERS.

60. Plaintiff, Woonsocket Teacher Assistants, RIFTHP, Local 951 ("Local 951"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Woonsocket School Department for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 951's members participate in MERS.

61. Plaintiff, Rhode Island Laborers' District Council, Local Union 808 ("Local 808") is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the Johnston School Department and the cities and towns of Charlestown, Hopkinton and Johnston, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 808's members participate in MERS.

62. Plaintiff, Rhode Island Laborers' District Council, Local Union 1033 ("Local 1033") is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the Cranston and North Providence School Departments and the cities and towns of Lincoln, North Kingstown, North Providence and Warwick, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 1033's members participate in MERS.

63. Plaintiff, Rhode Island Laborers' District Council, Local Union 1217 ("Local 1217") is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the Bristol, Cranston, Cumberland, East Providence, Johnston, Lincoln, North Providence, Pawtucket, Warwick and Warren Housing Authorities, the town of Smithfield, and the Smithfield School Department for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 1217's members participate in MERS.

64. Plaintiff, Rhode Island Laborers' District Council, Local Union 1322 ("Local 1322") is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various municipal employees employed by the cities and towns of Cranston, East Greenwich, Exeter, Foster, Glocester and West Greenwich, the Cranston School Department, and the Burrillville Sewer Commission, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 1322's members participate in MERS.

65. Plaintiff, National Association of Government Employees, Local 153 ("Local 153"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various non-teaching employees and support staff employed by the Cranston School Department for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 153's members participate in MERS.

66. Plaintiff, National Association of Government Employees, Local 68 ("Local 68"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various employees employed by the town of

Jamestown for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 68's members participate in MERS.

67. Plaintiff, National Association of Government Employees, Local 69 ("Local 69"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various employees employed by the town of Jamestown for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 69's members participate in MERS.

68. Plaintiff, National Association of Government Employees, Local 97 ("Local 97"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various employees employed by the city of Cranston Library Board of Trustees for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 97's members participate in MERS.

69. Plaintiff, International Brotherhood of Police Officers, Local 472 ("Local 472"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various (non-police) employees employed by the town of East Greenwich Police Department for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 472's members participate in MERS.

70. Plaintiff, International Brotherhood of Police Officers, Local 555 ("Local 555"), is a labor organization dedicated to providing representation and advocacy for its membership. It serves as the certified bargaining representative for various (non-police) employees employed by the town of Barrington Police Department for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local 555's members participate in MERS.

71. Defendant, Lincoln D. Chafee (“Governor”) is the Governor of the State of Rhode Island and is being sued in his official capacity.

72. Defendant Gina Raimondo is the General Treasurer of the State of Rhode Island and is being sued in her official capacity.

73. The Employees’ Retirement System of Rhode Island is established and placed under the management of the Rhode Island Retirement Board pursuant to R.I. Gen. Laws §§36-8-2 and 36-8-3. The Retirement Board is sued by and through its Chair, Gina Raimondo, and its Executive Director, Frank J. Karpinski, who, pursuant to R.I. Gen. Laws §36-8-9, by statute is in charge of administration of the retirement system and servers as Secretary to the Retirement Board. The Employees’ Retirement System of the State of Rhode Island and the Retirement Board are hereinafter referred to collectively as “the Retirement System.”

74. Defendants are hereinafter referred to collectively as “the State.”

STATEMENT OF FACTS

75. In 1936, the State established a Retirement System. The Retirement System is administered by the Retirement Board. P.L. 1936, ch. 2334, codified as G.L. 1956 §§ 36-8-1 to 36-10.4.

76. There are several plans under the administration of the Board. Among the several plans, there is a Municipal Employees Retirement System (“MERS”) whose members are certain municipal employees who fall into one of the following categories: general employees, firefighters, or police officers. (G.L. 1956 §45-21-10).

77. MERS was established by the State in 1951 as a retirement system for municipal employees through which participating cities and towns could offer their workers retirement benefits to satisfactorily meet the conditions incident to old age, death, disability, and

termination. (G.L. 1956 §45-21-1).

78. The Retirement System provides MERS participants a mandatory, contributory, defined benefit pension plan. Under this system, the ERSRI requires participants to contribute a statutorily-set percentage of each member's annual salary. In exchange, participants are paid a fixed retirement allowance upon reaching statutorily defined age and service requirements, hereinafter referred to as "the standards for retirement."

79. MERS is also an "Agent Multiple Employer Plan" ("AMEP"). As such, each participating city or town within MERS (hereinafter, "unit") has its own allocated assets and liabilities. These assets are "pooled" for investment purposes, but are legally segregated to pay the pensions of each unit's employees. These assets are not "fungible," meaning they belong to the unit's current and former employees.

80. Municipal participants are required to contribute at least 6% of each year's compensation to the Retirement System (G.L. 1956 § 45-21-41).

81. MERS allows retirement for people who have at least 10 years of service. General employees can retire at age 58 with 10 years of service, or at any time with 30 years of service. (G.L. 1956 §45-21-16).

82. Municipal participants who make ten (10) years of payments to the Retirement System are thereby "vested" pursuant to G.L. 1956 §45-21-16 and entitled to the benefits of retirement upon reaching the standards for retirement.

83. Among the membership of each of the plaintiffs are general municipal employees who, on June 30, 2012, will have at least ten (10) years of contributory service and are entitled to the benefits of retirement upon reaching the standards for retirement, including municipal employees who on the date of enactment of the RIRSA and/or as of June 30, 2012, (a) did not

satisfy the standards for retirement as they existed on either said date, and (b) did satisfy the standards for retirement as they existed on either said date but have not elected to retire and continue in active employment. Plaintiffs bring this action in their representative capacity on behalf of these employees, hereinafter referred to as "the vested employees."

84. Also among the membership of each of the plaintiffs are general municipal employees whose collective bargaining agreement included specific obligations to pay for and provide a cost-of-living-adjustment ("COLA"), and employees of municipalities which promised to provide a COLA through a city or town resolution. Plaintiffs bring this action in their representative capacity on behalf of these employees, who are also included within "the vested employees."

85. Since 1980, the ERSRI has also provided a cost-of-living-adjustment ("COLA") to municipal beneficiaries, including those who become disabled and eligible for disability retirement, upon approval by city or town resolution adopting one of three COLA plans. P.L. 1980, ch. 172, § 2 (codified at G.L. 1956 § 45-21-52). Participants who are eligible for a COLA must, in addition to their normal 6% mandatory contribution, contribute annually an additional 1% of their annual compensation to ERSRI.

86. A COLA is a "living pension" that serves to maintain the real value of a person's pension in light of changes in the cost of living that occur over the life of a retirement.

87. From 1980 to the present, the COLA for municipal participants has been 3% of the original retirement allowance (non-compounded).

88. R.I. Gen. Laws §28-9.4-3 provides, in relevant part, that municipal employees of any municipal employer in any city, town, or regional school district shall have the right to negotiate and to bargain collectively with their respective municipal employers and to be

represented by an employee organization in the negotiation or collective bargaining concerning hours, salary, working conditions, and all other terms and conditions of employment.

89. Local 811 and the town of East Greenwich are parties to a collective bargaining agreement that provides, inter alia, that Local 811's bargaining unit members retiring on or after January 1, 2003, shall receive a COLA upon retirement. Specifically, Article 24.4 of the collective bargaining agreement provides:

Effective January 1, 2003, employees who retire shall receive an annual COLA, (Plan C) to their pension payment from the State of Rhode Island Municipal Retirement Plan. Employee contributions to that plan will increase by 1.0%, in accordance with the provisions of the Rhode Island General Laws (RIGL).

90. The collective bargaining agreement between Local 811 and the town of East Greenwich is effective from July 1, 2010 to June 30, 2013.

91. Provision of the COLA to those Local 811 bargaining unit members retiring on or after January 1, 2003, was approved by a resolution of the East Greenwich Town Council on October 14, 2003.

92. Since on or about October 14, 2003, all bargaining unit members of Local 811 have been required to make an additional, annual contribution to MERS of 1% of annual compensation to fund the cost of the COLA.

93. Since on or about October 14, 2003, the requirement that Local 811 bargaining unit members retiring on or after January 1, 2003, be eligible for a COLA has remained an integral part of the collective bargaining agreement between Local 811 and the Town of East Greenwich.

94. Numerous other cities and towns have adopted resolutions similar to that which was adopted by East Greenwich. As a result, provisions similar to Article 24.4 of Local 811's

collective bargaining agreement are found within many of plaintiff unions' collective bargaining agreements.

95. On or about February 15, 2011, the Rhode Island Senate Municipal Pension Study Commission issued a final report wherein it found, among other things, that “[MERS] is well-funded, with an estimated overall funded ratio of’ 88.3% as of June 30, 2009.

96. Employees of the Bristol Housing Authority are participants in MERS. As of June 30, 2011, BHA maintained \$1,285,691 in actuarial accrued liability and \$1,838,061 in actuarial accrued assets, meaning that the benefits owed to BHA’s municipal employees are 143% funded.

97. Numerous other cities and towns participating in MERS, including for example, Woonsocket, have retirement funding levels in excess of 90%. Many other cities and towns participating in MERS, including for example, North Smithfield, have retirement funding levels in excess of 100%.

98. In 2011, the General Assembly of the State of Rhode Island enacted Public Law 2011, chapter 406, and Public Law 2011, chapter 408, (“RIRSA”), which, upon information and belief, substantially altered the standards for retirement for some or all of the vested employees to their substantial injury. Among other things, the RIRSA institutes the following changes as it relates to general employees within MERS:

a. changes the structure of the retirement program from a traditional defined benefit plan to a “hybrid plan” designed with a smaller defined benefit plan and a supplemental defined contribution plan;

b. as it relates to the defined benefit plan, reduces the factor by which a municipal employee’s pension benefit will be calculated from 2 percent of Final Average

Compensation (“FAC”) per year of contributory service to 1 percent of FAC for every year of service after July 1, 2012;

c. increases the FAC from the highest three consecutive annual salaries to the highest five consecutive annual salaries;

d. increases minimum retirement age for employees with less than five years of contributory service as of June 30, 2012 and members hired on or after that date to on or after their Social Security normal retirement age; for employees with at least five years of contributory service as of June 30, 2012, the minimum retirement age will be at an “individually determined age”; establishes 59 as the new, minimum retirement age;

e. gives vested employees eligible to retire but not retiring on June 30, 2012, the “choice” of either receiving no further accrual towards retirement in their defined benefit plan, notwithstanding continued mandatory contributions, or receiving a reduced value for further services, thereby reducing the total maximum percentage benefit achievable for some of the vested employees and requiring more years of service to achieve this reduced maximum;

f. reduces the value of the defined benefit plan for vested employees not eligible to retire on June 30, 2012 and gives them the “choice” of increasing the amount of time they must work to receive the monthly pension benefit available before the 2011 Act or receiving a reduced pension benefit, thereby reducing the total maximum percentage benefit achievable for some of the vested employees and requiring more years of service to achieve this reduced maximum;

g. despite maintaining a mandatory 1 percent annual COLA contribution, provides that no amount of COLA will be paid to MERS beneficiaries until the individual MERS plan to which the beneficiary belongs reaches 80 percent funding;

h. even if the plans were to reach 80 percent funding, the 2011 Act reduces the amount of the COLA by eliminating the 3 percent non-compounded COLA and instead, providing for a COLA equal to the difference between the 5-year smoothed investment return and 5.5 percent calculated to be between 0-4%, non-compounded for all beneficiaries;

i. even if an individual MERS plan reaches 80 percent funding, the 2011 Act will apply the COLA percentage only to the first \$25,000 of a person's retirement allowance;

j. until the individual MERS plan is 80 percent funded, the significantly reduced COLAs will only be paid every five years;

k. delays receipt of COLA (assuming the funded ratio is sufficient to trigger a COLA) for employees with less than 25 years of service until the month following their Social Security Normal Retirement Age ("SSNRA");

l. does not allow, at any time, for the full restoration of the COLAs in the amounts originally promised to those vested employees with a COLA benefit.

99. In enacting the RIRSA, the State directed that the majority of the contributions of the vested employees and other participants in the MERS be diverted from the MERS and, as of July 1, 2012, instead invested in a separate "defined contribution" plan, to which the State will also contribute on behalf of the employees. The State failed to make up to the MERS the funding that was diverted.

100. Upon information and belief, amounts invested in the so-called "defined contribution" plan will, in the absence of court intervention, not be available to or invested in the MERS. Upon information and belief, in establishing the "defined contribution" plan, the State directed substantial resources out of the MERS at the same time that the RIRSA substantially reduced retirement benefits.

101. The RIRSA was intended to substantially reduce and diminish the value of retirement benefits earned and achievable by some or all of the vested employees.

102. The RIRSA will substantially reduce and diminish the value of retirement benefits earned and achievable by some or all of the vested employees.

103. The RIRSA substantially impairs contractual rights vested in some or all of the vested employees, denies and deprives these vested employees of property rights and interests without due process of law, and constitutes a taking of property without just compensation.

104. Plaintiffs are entitled to a declaratory judgment pursuant to R.I. Gen. Laws §9-30-1 that the RIRSA is unconstitutional and in violation of Article I, Section 2 (Due Process Clause), Section 12 (Contract Clause) and 16 (Takings Clause) of the Rhode Island Constitution.

105. Plaintiffs have no adequate remedy at law.

Count I
Contract Clause of the R.I. Constitution
(Article 1, Section 12)

106. Plaintiff hereby incorporates by reference Paragraphs 1 through 105 of the Complaint as if fully set forth herein.

107. The Rhode Island Constitution, Article 1, Section 12 provides: "In order effectually to secure the religious and political freedom established by our venerated ancestors, and to preserve the same for our posterity, we do declare that the essential and unquestionable rights and principles hereinafter mentioned shall be established, maintained, and preserved, and shall be of paramount obligation in all legislative, judicial and executive proceedings. * * * Section 12 * * * No ex post facto law, or law impairing the obligation of contracts, shall be passed."

108. The RIRSA, in substantially impairing the contract rights of some or all of the vested employees, contravenes the Contract Clause of the Rhode Island Constitution, Article I, Section 12 and should be declared unconstitutional and its operations enjoined.

Count II
Due Process Clause of the R.I. Constitution
(Article 1, Section 2)

109. Plaintiff hereby incorporates by reference Paragraphs 1 through 105 of the Complaint as if fully set forth herein.

110. The Rhode Island Constitution, Article 1, Section 2 provides: "In order effectually to secure the religious and political freedom established by our venerated ancestors, and to preserve the same for our posterity, we do declare that the essential and unquestionable rights and principles hereinafter mentioned shall be established, maintained, and preserved, and shall be of paramount obligation in all legislative, judicial and executive proceedings. * * * Section 2. Laws for good of whole -- * * * Due process -- * * * All free governments are instituted for the protection, safety, and happiness of the people. All laws, therefore, should be made for the good of the whole; and the burdens of the state ought to be fairly distributed among its citizens. No person shall be deprived of life, liberty or property without due process of law * * *."

111. The RIRSA, in substantially impairing the contract rights of some or all of the vested employees, contravenes the Due Process Clause of the Rhode Island Constitution, Article I, Section 2 and should be declared unconstitutional and its operations enjoined.

Count III
Takings Clause of the R.I. Constitution
(Article I, Section 16)

112. Plaintiff hereby incorporates by reference Paragraphs 1 through 105 of the Complaint as if fully set forth herein.

113. The Rhode Island Constitution, Article 1, Section 16 provides: "In order effectually to secure the religious and political freedom established by our venerated ancestors, and to preserve the same for our posterity, we do declare that the essential and unquestionable rights and principles hereinafter mentioned shall be established, maintained, and preserved, and shall be of paramount obligation in all legislative, judicial and executive proceedings. * * *Section 16. Compensation for taking of private property for public use * * * Private property shall not be taken for public uses, without just compensation. * * *"

114. The RIRSA, in substantially impairing the contract rights to some or all of the vested employees, contravenes the Takings Clause of the Rhode Island Constitution, Article I, Section 16 and should be declared unconstitutional and its operations enjoined.

WHEREFORE, plaintiffs respectfully pray that the Court:

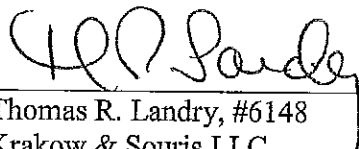
- a. Issue declaratory judgment declaring the 2011 Act contravenes the Due Process, Contract and Takings Clauses of the Rhode Island Constitution, Article I, Sections 2, 12 and 16;
- b. Issue equitable relief including, but not limited to, a temporary restraining order and/or permanent injunction prohibiting the State, include the Employees' Retirement System of the State of Rhode Island and the Retirement Board, from relying upon or applying the provisions of the 2011 Act to general municipal employees with at least ten years of contributory service on June 30, 2012, and to restore and make whole all retirement benefits diminished by application thereof;

c. Issue equitable relief including, but not limited to, a temporary restraining order and/or permanent injunction prohibiting the State, include the Employees' Retirement System of the State of Rhode Island and the Retirement Board, from relying upon or applying the provisions of the 2011 Act to general municipal employees entitled to a COLA prior to November 18, 2011, and to restore and make whole all retirement benefits diminished by application thereof;

d. Award plaintiffs the costs of the suit;

e. Award such other and further relief as the Court deems necessary and proper.

Plaintiffs,
By its Attorneys,



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**STATE OF RHODE ISLAND
PROVIDENCE, SC.**

SUPERIOR COURT

**BRISTOL/WARREN REGIONAL
SCHOOL EMPLOYEES, LOCAL 581,
AFSCME, COUNCIL 94, AFL-CIO, et al.,
*Plaintiffs,***

vs.

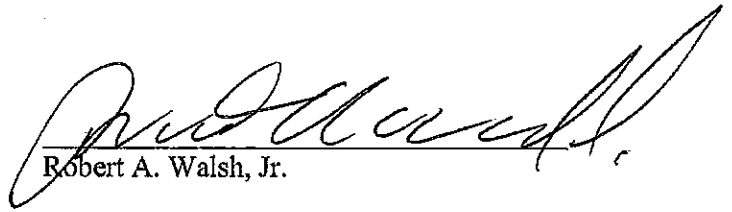
**LINCOLN D. CHAFEE, et al.
*Defendants.***

C.A. No. PC 12-

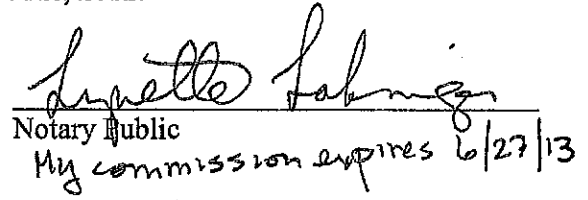
VERIFICATION

I, Robert A. Walsh, Jr., first being duly sworn, do hereby depose and state as follows:

1. I am the Executive Director of the National Education Association of Rhode Island (“NEARI”).
2. NEARI is a statewide labor organization devoted to providing representation and advocacy for its membership. Its members include Rhode Island state employees and public school teachers and municipal employees. Its local affiliates serve as certified bargaining unit representatives for Rhode Island state employees and public school teachers and municipal employees, for purposes of collective bargaining and advocating for the interests of bargaining unit members. Local bargaining unit members participate in the Employee Retirement System of Rhode Island, either through the ERS or the MERS plans.
3. The unions identified in the complaint filed in the above-captioned action as “NEARI” locals are local affiliates of NEARI. I am authorized to make the within verification on their behalf.
4. I have read the complaint filed in the above-captioned action and it is true and correct to the best of my knowledge, information and belief.


Robert A. Walsh, Jr.

Subscribed and sworn to this 22 day of June, 2012.


Notary Public
My commission expires 6/27/13