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## Michael D. Chittick

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### Overview

Michael D. Chittick is the Chair of the firm's Labor & Employment Practice Group. Mike handles all facets of [labor and employment law](#) and related litigation, consistently finding efficient, practical solutions for his private and public sector clients.

Mike's successful track record includes collective bargaining negotiations, labor arbitrations, and defense of litigation alleging unfair labor practices, employment discrimination and related claims, as well as single plaintiff and class action wage and hour litigation. Additionally, Mike regularly counsels clients on a full array of labor and employment-related issues, including medical leave, reductions-in-force, OSHA compliance, employee discipline and termination, day-to-day personnel issues, and disputes arising under employment agreements, non-compete and non-disclosure agreements, and other business related contracts. Mike also frequently lectures on labor and employment law matters.

Mike has successfully represented employers in labor arbitrations, cases involving alleged unfair labor practices, employment discrimination matters, and wage and hour cases in both federal and state courts and before a wide variety of government agencies and tribunals.

Mike is a veteran of the U.S. Army and was on active duty during the time of the first Gulf War. Mike was honorably discharged from active duty in August 1991.

### Experience

- Regularly successfully represents both private and public sector employers in collective bargaining negotiations.
- Prevailed in a class action wage and hour case in which the plaintiff class was seeking a multi-million dollar recovery. [Syripannho, et al. v. Twin River Casino](#), C.A. No. PC-2022-692, 2023 WL 4858507 (R.I. Super. July 25, 2023).
- Won summary judgment on behalf of client, Bally's Twin River Lincoln Casino Resort. A former table games supervisor for Bally's brought claims against Bally's for alleged violations of the Family Medical Leave Act and its Rhode Island counterpart, the Rhode Island Parental and Family Medical Leave Act, and for alleged disability discrimination in violation of the Rhode Island Civil Rights Act. AP&S moved for summary judgment on Bally's behalf. In granting the motion, U.S. District Court Judge Mary S. McElroy rendered a complete and resounding victory for Bally's, entering summary judgment in Bally's favor on all of the plaintiff's claims. [Brian Ingraham v. UTGR, Inc. d/b/a Bally's Twin River Lincoln Casino Resort](#), 66 NDLRP 80, 2022 WL 16961386 (D.R.I. Nov. 16, 2022).
- Won summary on behalf of client, Bally's Twin River Lincoln Casino Resort, in case in which the plaintiff-employee alleged numerous claims, including defamation, malicious prosecution, false imprisonment, and intentional infliction of emotional distress. The U.S. District Court for the District of Rhode Island issued a resounding victory for Bally's, finding no merit in any of plaintiff-employee's claims. [Elizabeth Sankey v. UTGR, Inc. d/b/a Twin River](#), 565 F.Supp.3d 319 (D.R.I. 2021).

- Won summary judgment on behalf of client, Cox Communications, in an age discrimination case. Michael Jardin v. CoxCom, LLC d/b/a Cox Communications New England, 320 F.Supp.3d 373 (D.R.I. 2018).
- Won summary judgment for employer-client in U.S. District Court in case where highly compensated plaintiff-former employee alleged FMLA, disability discrimination and gender discrimination claims. Well in excess of \$1 million in potential monetary damages was at stake. Reilly v. Cox Enterprises, Inc., et al., C.A. No. 13-785-S, 2016 U.S. Dist. Lexis 25110; 26 Wage & Hour Cases 2d (BNA) 375 (D.R.I. March 1, 2016).
- Represented lender group in connection with refinancing of resort casino. Representation included advising client with regard to state gaming laws and regulations, creation and perfection of security interests in associated real property, personal property, licensure and securities. Assisted client in connection with interaction with relevant state gaming authorities.
- Successfully argued in Rhode Island Superior Court that an agency decision which would have likely resulted in over \$1 million of overtime pay liability against AP&S's client should be reversed. Frito-Lay, Inc. v. Rhode Island Department of Labor and Training, et al., C.A. No. PC-2012-1488, 2013 WL 1704965, (R.I. Super. April, 2013).
- Won summary judgment for employer-client in the U.S. District Court with respect to all claims asserted against it, including alleged violations of federal and state disability discrimination statutes and various education laws. Richardson v. Whitmarsh Corporation, A. No. 07-309-ML, 2009 WL 5178075 (D.R.I. December 29, 2009).
- Won summary judgment in Rhode Island Superior Court on behalf of AP&S's client, the defendant-employer, in a case where the plaintiff-employee was alleging that she had been subjected to discriminatory terms and conditions of employment and constructively discharged on the basis of her race.
- Obtained summary judgment from the Rhode Island Superior Court in favor of an employer in a case where the plaintiff-employee alleged he had been discriminated against and constructively discharged on the basis of disability.
- Obtained a labor arbitration award upholding an employer's decision to discharge an employee who was terminated after she refused to complete her work shift.
- Obtained a labor arbitration award upholding an employer's right under the collective bargaining agreement to make unilateral changes to its group health plan covering unionized employees.
- Obtained a favorable ruling from the Rhode Island Department of Labor and Training in a wage case where the claimant alleged she had been wrongfully denied compensation, including unpaid wages for time allegedly worked, shift differential pay and incentive pay. Out of the many thousands of dollars of unpaid wages sought by the claimant, the Department of Labor and Training awarded her less than fifty dollars.

## Credentials

### Practices

- [Labor & Employment](#)
- [Gaming](#)
- [Hospitality](#)

### Education

- Boston College (J.D., 1998)
- Trinity College (B.A., 1995)

## Admissions

- Rhode Island
- Massachusetts
- U.S. District Court, District of Rhode Island
- U.S. District Court, District of Massachusetts
- U.S. Court of Appeals for the First Circuit

## Honors

- Selected by his peers for inclusion in *The Best Lawyers in America*® 2020- 2026 editions in the field of Labor and Employment Law.
- Recognized in *Chambers USA America's Leading Business Lawyers* in the area of Labor & Employment Law.
- Professional Excellence in the Law, Labor and Employment, *Rhode Island Monthly* 2019 – 2026.
- Benchmark Litigation, Labor & Employment Star, 2021.
- Named Rhode Island *Rising Star* by *Super Lawyers*, 2008–2011.

## Seminars/Publications

- Lectures frequently on labor/employment law issues.
- Contributing editor, seventh and eighth editions of the BNA publication *How To Take A Case Before The NLRB*.

## Professional Affiliations

- Member, Labor Law Committee of the Rhode Island Bar Association.