



# Michael D. Chittick

Shareholder, Providence, RI

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## PRACTICE AREAS

[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

## OVERVIEW

Mike handles all facets of labor and employment law and related litigation, consistently finding efficient, practical solutions for his private and public sector clients.

His successful track record includes collective bargaining negotiations, labor arbitrations, alleged unfair labor practices, employment discrimination, wage-hour laws, 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 employment law and human resource matters.

Mike has successfully represented employers in labor arbitrations and employment discrimination matters in both federal and state courts and before a wide array of administrative agencies.

Mike is a veteran of the U.S. Army and served his country during the time of the first Gulf War.

## REPRESENTATIVE MATTERS

- 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](#), C.A. No. 17-097-JJM (D.R.I., July 30, 2018).
- Successfully represents both of Rhode Island's only licensed gaming facilities in collective bargaining negotiations with the various unions that represent the gaming facilities' employees.
- 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' 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. CA. 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' 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.

## SEMINARS / PUBLICATIONS

- Lectures frequently on labor/employment law issues

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- Contributing editor, seventh and eighth editions of the BNA publication *How To Take A Case Before The NLRB*.

## HONORS

- Recognized in the 2009–2018 editions of *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.
- Named Rhode Island *Rising Star* by *Super Lawyers*, 2008–2011.



LEADING INDIVIDUAL



## PROFESSIONAL AFFILIATIONS

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