



Mashantucket Pequot  
Tribal Nation

## MASHANTUCKET EMPLOYMENT RIGHTS OFFICE

### FILING A PROHIBITED PRACTICE CHARGE

#### Alleging Prohibited Practice under Section 6(a) or 6(b) of Title 32, M.P.T.L., the Mashantucket Pequot Labor Relations Law (Labor Law)

#### PLEASE REVIEW THE FOLLOWING IMPORTANT INFORMATION BEFORE SUBMITTING A CHARGE FORM AND INTAKE QUESTIONNAIRE

- To be timely, any prohibited practice charge under the Mashantucket Pequot Labor Relations Law must be filed with the MERO within 180 calendar days of the alleged violation.
- After completing the Charge (MERO Form 32-1010 or MERO Form 32-1020) and Intake Questionnaire (MERO Form 32-1030), sign and date the declaration.
- The person filing the charge must deliver to the other party a copy of the completed Charge Form and Intake Questionnaire for receipt by the other party on the same date as the submission of the forms to the MERO. Certify compliance with this requirement by signing and dating the certification at the bottom of each form.
- To file a charge, forward the completed and signed Charge and Intake Questionnaire to the MERO. Follow the directions in the Declaration if you wish to submit each form electronically.
- Once a charge is filed with the MERO, cases alleging violations of Section 6 of the Labor Law may follow one of three routes to begin processing:
  1. MERO Board - The Labor Law provides that, within five (5) days of a Charge being filed, any party may request adjudication of the Charge by a MERO Board. If such a request is filed, a MERO Board panel, usually consisting of three (3) members, shall be appointed at the outset of the case. Within five (5) days of the request for a MERO Board, the Tribal Employer and the Labor Organization (or if a charge is filed by a Tribal Employee, the Tribal Employee), will each appoint one member of the Board. The Board members appointed by each of the parties, or the parties themselves, shall confer and jointly appoint a third member, who shall be the presiding officer of that MERO Board. If the members appointed by the parties cannot agree within five (5) days upon a third member, the MERO shall request from the American Arbitration Association a random panel of seven (7) arbitrators who are members of the National Academy of Arbitrators and a presiding officer shall be selected by the parties or their appointees from said list within five (5) days of receipt of the list. The costs of the MERO Board and any fees associated with the proceedings shall be shared equally by the parties.
  2. Special Master – If no party to a case elects a MERO Board within the first five (5) days after charge filing, the case is referred to the Mashantucket Pequot Tribal Court for adjudication by an impartial special master with substantial experience as a neutral decision maker in the resolution of labor disputes and who has experience or advanced training in Tribal Law. Any costs or fees associated with a Special Master proceeding are determined by the Court.
  3. MERO Director Investigation – If a charge is filed by an individual, the MERO Director, in their discretion, may initiate an investigation of the charge by notifying the parties. Within 60 days, the MERO Director issues a decision. The parties maintain the right to proceed to a hearing before a MERO Board or Special Master after a MERO Director decision issues. There are no costs or fees associated with the MERO Director’s investigation.

Additional information about the processing of Labor Law charges is available from the MERO.

The information contained in this document is summary in nature and is not a substitute for review of the Labor Law, the Procedures Manual for Processing Claims Alleging Prohibited Practices, and other relevant information and guidance issued by the MERO. The Labor Law, forms and guidance are available on the MERO’s website, <https://MERO.mptn-nsn.gov>. If you require assistance to file a charge, please contact the MERO.