

SUPREME COURT OF RHODE ISLAND

Lagana v. International Brotherhood of Electrical Workers—Local 1274

Lagana v. Int'l Bhd. of Elec. Workers—Local 1274, 767 A.2d 666 (R.I. 2001) · Decided March 15, 2001

SUMMARY

The Rhode Island Supreme Court held that a private-sector employee's unfair-representation claim against a union was governed by the federal six-month statute of limitations under 29 U.S.C. § 160(b). Because the claim involved interpretation of a collective-bargaining agreement, it was preempted under § 301 of the Labor Management Relations Act. The court distinguished its prior decision applying Rhode Island's three-year limitations period to a municipal employee's claim and affirmed summary judgment for the union.

CASE DETAILS

COURT	Supreme Court of Rhode Island
WRITING FOR THE COURT	Bourcier; Flanders; Goldberg; Lederberg; Weisberger; Williams
JURISDICTION	Rhode Island
DECIDED	March 15, 2001
DISPOSITION	affirmed
PROCEDURAL POSTURE	The plaintiff appealed from a Superior Court summary judgment entered for the union in an unfair-representation action.
STANDARD OF REVIEW	The court reviewed the grant of summary judgment and the legal determination concerning the applicable statute of limitations de novo.
PRECEDENTIAL VALUE	published opinion
PARTIES	Catharine C. Lagana v. International Brotherhood of Electrical Workers—Local 1274

TOPICS

labor law employment law federalism appellate procedure

PRACTICE AREAS

Labor law Employment law Appellate procedure

QUESTIONS PRESENTED

1. Whether a private-sector employee's unfair-representation action against a union, arising from a grievance requiring interpretation of a collective-bargaining agreement, is governed by the federal six-month statute of limitations in 29 U.S.C. § 160(b).
2. Whether *McDonald v. Rhode Island General Council* required application of Rhode Island's three-year statute of limitations to the claim.

HOLDINGS

1. A private-sector employee's unfair-representation claim against a union is governed by the federal six-month statute of limitations when the dispute concerns interpretation of a collective-bargaining agreement and is therefore preempted under § 301 of the Labor Management Relations Act.
2. *McDonald's* application of Rhode Island's three-year statute of limitations is limited to unfair-representation actions brought by municipal or state employees against public-sector unions.

KEY QUOTATIONS

“In this case, we hold that the federal six-month statute of limitations governed the employee’s unfair-representation claim because she was a private-sector employee and the dispute concerned an interpretation of the union’s collective-bargaining agreement between the union and her former private employer, Levitón.” (668)

“This Court’s application of the three-year statute of limitations in McDonald was limited to municipal or state employees who bring unfair representation actions against public-employee unions.” (668)

FACTUAL BACKGROUND

Lagana was a former employee of Leviton Manufacturing Company and brought an unfair-representation claim against her union, International Brotherhood of Electrical Workers—Local 1274. The claim arose from a grievance involving the private employer and required interpretation of the collective-bargaining and supplemental agreements. The union asserted that the claim was governed by the federal labor-law statute of limitations, while Lagana argued that Rhode Island's three-year statute of limitations applied.

PROCEDURAL HISTORY

Catharine C. Lagana sued her former union for alleged unfair representation arising from a grievance involving her private-sector employer. The Superior Court granted the union summary judgment after ruling that the federal six-month statute of limitations in 29 U.S.C. § 160(b) barred the claim. The Rhode Island Supreme Court denied the appeal and affirmed.

DISPOSITION

affirmed

CASES CITED

- McDonald v. Rhode Island General Council, 505 A.2d 1176 (R.I. 1986)
- Church v. McBurney, 513 A.2d 22 (R.I. 1986)
- DelCostello v. International Brotherhood of Teamsters, 462 U.S. 151 (1983)
- Lathrop v. Entenmann's, Inc., 770 P.2d 1367 (Colo. Ct. App. 1989)
- Lingle v. Norge Division of Magic Chef, Inc., 486 U.S. 399 (1988)
- Reed v. United Transportation Union, 488 U.S. 319 (1989)

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