

Bond Case Briefs

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EMPLOYMENT - RHODE ISLAND

Kaczorowski v. Town of North Smithfield

United States District Court, D. Rhode Island - October 1, 2013 - F.Supp.2d - 2013 WL 5442220

Town Council voted to approve a budget that eliminated the funding for the position of the Department of Public Works (DPW) Director.

Director argued that he had a constitutionally protected property interest in his job as DPW Director. Director pointed both to the Charter language establishing that his employment term ran concurrently with that of the Town Council and to the Town Administrator's letter indicating that his job was permanent.

The District Court concluded that the position of DPW Director was mandated by the Town Charter and that the town council violated the Charter when they *de facto* eliminated the position.