

STATE OF DELAWARE
PUBLIC EMPLOYMENT RELATIONS BOARD

AFSCME COUNCIL 81, LOCAL 3615)	
Petitioner)	
)	
v.)	
)	ULP NO. 01-01-303
)	
CITY OF NEW CASTLE)	
Respondent)	

ORDER OF DISMISSAL

1. The Charging Party, American Federation of State, County, and Municipal Employees, Council 81, Local 3615 (“Union”) maintains its principal office located at 296 Churchmans Road, New Castle, Delaware 19720 (302) 323-2121.
2. The Respondent, City of New Castle (“City”) maintains its principal office located at 220 Delaware Street, New Castle, Delaware 19720.
3. On or about January 10, 2001, Charging Party filed an Unfair Labor Practice Charge with the Public Employment Relations Board alleging that the City engaged in certain conduct in violation of 19 Del. C. Section 1307(a)(7).
4. On or about January 19, 2001, Respondent, City of New Castle filed its Answer to the Charge and New Matter requesting that PERB issue a Declaratory Statement that the City did not commit an unfair labor practice in violation of 19 Del. C. Section 1307(a) (7).

5. On or about January 29, 2001, Charging Party filed its Answer to Respondent's New Matter allegations.
6. A Probable Cause Determination was issued on February 16, 2001, and a hearing was scheduled for March 29, 2001 for the purpose of receiving evidence on the issue of whether an agreement was reached by authorized representatives of the parties during collective bargaining that a general wage increase would take effect thirty (30) days prior to the date the written agreement was signed.
7. The hearing initially scheduled for March 29, 2001 was postponed by request and agreement of the parties, rescheduled to April 30, 2001, and finally again to May 3, 2001.
8. On or about May 2, 2001, Mr. Goldlust, the attorney for Council 81 and Local Union 3615 requested, and the PERB granted, a continuance pending outcome of a public meeting of the City Council of New Castle.
9. By letter dated May 23, 2001, PERB was advised by Mr. Goldlust that because the parties had resolved the matter it wished to withdraw the ULP with prejudice.

WHEREFORE, this Charge is hereby dismissed with prejudice.

IT IS SO ORDERED.

/s/Charles D. Long, Jr.
CHARLES D. LONG, JR.
Executive Director
Public Employment Relations Board

DATED: June 1, 2001