

STATE OF DELAWARE
DELAWARE PUBLIC EMPLOYMENT RELATIONS BOARD

Julius Cephas,)
 Charging Party,)
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ILA, Local 1694-I,)
David Clements and Tony Knight,)
 Respondents.)

ULP No. 06-11-545

DECISION ON REQUEST FOR INJUNCTIVE RELIEF

In order to prevail the party seeking the relief must establish both irreparable harm which will result if the request is not granted and the probability that it will prevail on the merits of the underlying substantive issue. *Appoquinimink Ed. Assn. v. Bd. of Ed., Del. PERB, ULP 98-09-243, III PERB, 1775, 1775-76 (1998).*

In this matter, neither of these conditions has been satisfied at this stage of the proceedings.

Consequently, Charging Party's request to enjoin the grievance meeting currently scheduled for Friday, November 17, 2006, involving a grievance filed by Respondent Clements concerning Charging Party's position at the Port of Wilmington is denied.

Dated: November 17, 2006

/s/Charles D. Long, Jr.

Charles D. Long, Jr.,
Executive Director