

STATE OF DELAWARE

PUBLIC EMPLOYMENT RELATIONS BOARD

INTERNATIONAL LONGSHOREMEN'S	:	
ASSOCIATION, AFL-CIO, LOCAL 1694-1,	:	
	:	
Charging Party	:	ULP No. 11-05-803
	:	
v.	:	_____
	:	
DIAMOND STATE PORT CORPORATION,	:	ORDER OF DISMISSAL
	:	
Respondent.	:	

ORDER OF DISMISSAL

1. The State of Delaware (“State”) is a public employer within the meaning of §1302(p) of the Public Employment Relations Act (“PERA”). 19 Del.C. Chapter 13 (1994). Diamond State Port Corporation (“DSPC”) is an agency of the State.

2. The International Longshoremen’s Association, AFL-CIO (“ILA”) is an employee organization which admits to membership DSPC employees and has as a purpose the representation of those employees in collective bargaining, pursuant to 19 Del.C. §1302(i). The ILA, by and through its Local 1694-1, represents a bargaining unit of DSPC employees (as defined by DOL Case #103) for purposes of collective bargaining and is certified as the exclusive bargaining representative of that unit. 19 Del.C. §1302(j).

3. On or about May 16, 2011, the ILA filed with the Public Employment

Relations Board (“PERB”) an unfair labor practice charge alleging conduct by DSPC in violation of Public Employment Relations Act, 19 Del.C. §1307(a)(1), (a)(5) and (a)(6).

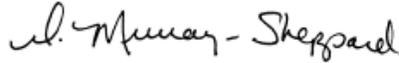
4. On or about May 31, 2011, the State, on behalf of DSPC, filed an Answer to the Charge, including New Matter.

5. By correspondence dated June 2, 2011, counsel for the ILA advised PERB that “... the employer a few days ago mailed its proposals for the new labor agreement and certain related data and has stated ... that it is now willing to immediately commence bargaining over the contents of the new collective bargaining agreement.” Consequently, the ILA requested to withdraw this Charge, without prejudice.

WHEREFORE, the Charge is hereby dismissed without prejudice.

IT IS SO ORDERED.

Date: June 21, 2011



DEBORAH L. MURRAY-SHEPPARD
Executive Director
Del. Public Employment Relations Bd.