

STATE OF DELAWARE
PUBLIC EMPLOYMENT RELATIONS BOARD

AMERICAN FEDERATION OF STATE, COUNTY,	:	
& MUNICIPAL EMPLOYEES, COUNCIL 81,	:	
LOCAL 2004, and CAMERON HENRY,	:	
	:	
Charging Parties,	:	<u>ULP 11-05-806</u>
	:	
v.	:	ORDER OF DISMISSAL
	:	
STATE OF DELAWARE, DEPARTMENT OF SERVICES	:	
FOR CHILDREN, YOUTH AND THEIR FAMILIES,	:	
	:	
Respondent.	:	

BACKGROUND

1. The State of Delaware (“State”) is a public employer within the meaning of section 1302(p) of the Public Employment Relations Act, 19 Del.C. Chapter 13 (“PERA”). The Department of Services for Children, Youth and Their Families (“DSCYF”) is an agency of the State.

2. The American Federation of State, County and Municipal Employees, Council 81, (“AFSCME”) is an employee organization within the meaning of 19 Del.C. §1302(i). By and through its affiliated Local 2004, AFSCME is the exclusive bargaining representative of a unit of State merit employees employed by the State and holding positions with DSCYF, within the meaning of 19 Del.C. §1302(j). Cameron Henry (“Henry”) was employed by DSCYF as a Youth Rehabilitation Counselor and was the President of Local 2004.

3. On or about May 31, 2011, AFSCME filed an unfair labor practice charge alleging the State violated 19 Del.C. §1307 (a)(1), (2) and/or (5).

4. On or about June 13, 2011, the State filed its Answer to the Charge including New Matter.

5. On or about June 13, 2011, Charging Parties filed a Response to New Matter.

6. On or about August 6, 2011, a Probable Cause Determination was issued by the Public Employment Relations Board, directing that a hearing be convened to receive evidence and argument. A hearing was held on October 10, 2011.

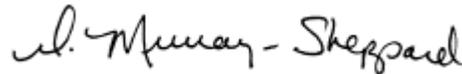
7. Thereafter, the parties filed written argument in support of their positions with PERB.

8. By letter dated February 28, 2013, AFSCME requested to withdraw the unfair labor practice charge.

WHEREFORE, this unfair labor practice charge is hereby dismissed.

IT IS SO ORDERED.

Date: March 5, 2013



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