

STATE OF DELAWARE

PUBLIC EMPLOYMENT RELATIONS BOARD

INTERNATIONAL BROTHERHOOD OF ELECTRICAL)	
WORKERS, LOCAL 2270,)	
)	
Charging Party,)	
)	<u>ULP No. 14-01-941</u>
v.)	
)	ORDER OF DISMISSAL
DELAWARE TRANSIT CORPORATION,)	
)	
Respondent.)	

BACKGROUND

1. The State of Delaware is a public employer within the meaning of §1302(p) of the Public Employment Relations Act, 19 Del.C. Chapter 13 (PERA). The Department of Transportation (DOT) is an agency of the State. The Delaware Transit Corporation (DTC) is a division of DOT.

2. The International Brotherhood of Electrical Workers, Local 2270, (IBEW) is an employee organization within the meaning of Section 1302(i) of the PERA and the exclusive bargaining representative of certain maintenance employees of DTC within the meaning of §1302(j) of the PERA.

3. On January 28, 2014, the IBEW filed an unfair labor practice charge (Charge) with the Delaware Public Employment Relations Board (PERB) alleging conduct by DTC in violation

of 19 Del.C. §1307 (a)(1), (2), (3), (4), (5), (6) and/or (8).¹

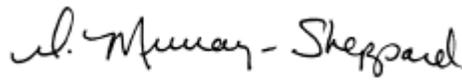
4. On February 7, 2014, DTC filed its Answer to the Charge, including new matter. IBEW Local 2270 filed its Response to New Matter on February 18, 2014.

5. By email dated April 10, 2014, IBEW Local 2270 advised the Public Employment Relations Board it wished to withdraw the Charge as “a sign of good faith and an effort to foster a strong working relationship with the DTC for many years to come”. It also requested the prehearing conference scheduled for April 24, 2014 be cancelled.

WHEREFORE, this unfair labor practice charge is hereby dismissed.

IT IS SO ORDERED.

Dated: April 14, 2014



DEBORAH L. MURRAY-SHEPPARD
Executive Director, Delaware PERB

¹ 19 Del.C. §1307, Unfair labor practices

(a) It is an unfair labor practice for a public employer or its designated representative to do any of the following:

- (1) Interfere with, restrain or coerce any employee in or because of the exercise of any right under this chapter.
- (2) Dominate, interfere with or assist in the formation, existence or administration of any labor organization.
- (3) Encourage or discourage membership in any employee organization by discrimination in regard to hiring, tenure or other terms and conditions of employment.
- (4) Discharge or otherwise discriminate against an employee because the employee has signed or filed an affidavit, petition or complaint or has given information or testimony under this chapter.
- (5) Refuse to bargain collectively in good faith with an employee representative which is the exclusive representative of employees in an appropriate unit, except with respect to a discretionary subject.
- (6) Refuse or fail to comply with any provision of this chapter or with rules and regulations established by the Board pursuant to its responsibility to regulate the conduct of collective bargaining under this chapter.
- (8) Refuse to disclose any public record as defined by Chapter 100 of Title 29.