

STATE OF DELAWARE

PUBLIC EMPLOYMENT RELATIONS BOARD

COMMUNICATIONS WORKERS OF AMERICA,	:	
Local 13101,	:	
	:	
Charging Party,	:	
	:	
v.	:	ULP No. 14-08-966
	:	
STATE OF DELAWARE, DEPARTMENT OF SAFETY	:	ORDER OF DISMISSAL
AND HOMELAND SECURITY,	:	
	:	
Respondent.	:	

BACKGROUND

1. The State of Delaware (State) 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 Safety and Homeland Security (DSHS) is an agency of the State.

2. The Communication Workers of America (CWA), Local 13101 is an employee organization within the meaning of 19 Del.C. §1302(i) and the exclusive bargaining representative of certain employees of DSHS within the meaning of 19 Del.C. §1302(j).

3. CWA Local 13101 and DSHS are parties to a collective bargaining agreement which covers a bargaining unit of Delaware State Police 911 dispatchers, which has a term of July 1, 2011 through June 30, 2013.

4. On or about August 6, 2014, CWA filed an unfair labor practice charge (Charge) with the Public Employment Relations Board (PERB) alleging conduct by the State in violation

of 19 Del.C. §1307 (a)(5).¹

5. DSHS filed its Answer to the Charge, including New Matter, on August 18, 2014. CWA Local 13101 responded to the New Matter raised in the Answer on August 27, 2014.

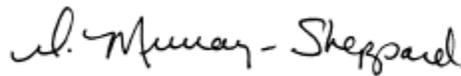
6. On August 27, 2014, CWA Local 13101 moved to stay the further processing of two grievances which were affected by the charge. DSHS opposed CWA's motion to stay on September 5, 2014 and CWA Local 13101 responded to the DSHS' position on September 12, 2014.

7. By letter dated October 10, 2014, CWA Local 13101 requested to withdraw its Charge.

WHEREFORE, this unfair labor practice charge is hereby dismissed.

IT IS SO ORDERED.

DATE: October 14, 2014



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

¹ §1307 (a) It is an unfair labor practice for a public employer or its designated representative to do any of the following:

(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.