



State of Delaware
 Public Employment Relations Board
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AMALGAMATED TRANSIT UNION LOCAL 842,)
) 15-10-1011
 v.)
) **DECISION ON THE MERITS**
 STATE OF DELAWARE, DELAWARE TRANSIT)
 CORPORATION.)

**NOTICE OF DETERMINATION
 AND 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. The Delaware Transit Corporation ("DTC") is an agency of the State.
2. The Amalgamated Transit Union, Local 842 is an employee organization within the meaning of 19 Del.C. Section 1302(i) of the PERA.
3. By and through its affiliated Local 842, the ATU is the exclusive bargaining representative of a unit of "all full-time and part-time [DTC] paratransit employees statewide and all full-time and part-time employees providing fixed route transit service in the Greater Dover Area," and a second bargaining unit of "all hourly-rated operating and maintenance employees" in New Castle County, within the meaning of §1302(j) of the PERA.
4. The ATU and DTC are parties to a collective bargaining agreement for each bargaining unit, each of which has a term of September 1, 2013 through August 31, 2016.
5. The allegation that the Delaware Transit Corporation violated 19 Del.C. §1307(a)(5) by unilaterally implementing a change to the disciplinary policy applied to bargaining unit employees who are involved in preventable accidents while on duty is not supported by the record.
6. The charge that DTC, by its actions, violated 19 Del.C. §1307(a)(1) is also unsupported by the record.

WHEREFORE, this Charge is dismissed in its entirety.

IT IS SO ORDERED.

Dated: May 18, 2016

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