

STATE OF DELAWARE  
PUBLIC EMPLOYMENT RELATIONS BOARD

CAPITAL EDUCATIONAL SECRETARIES, ASSOCIATION, DSEA/NEA	:	
	:	
Petitioner,	:	
	:	Review of Decision
v.	:	
	:	<u>Rep. Petition 94-09-103</u>
CAPITAL SCHOOL DISTRICT	:	
	:	
Respondent.	:	

By a 3-0 vote, it is our conclusion that the Executive Director's September 5, 1995 findings in the above matter were in fact correct.

A careful review of the entire, voluminous record does not persuade us, any more than it originally did the Executive Director, that the Employee Benefits Specialist is a confidential employee within the meaning of 14 Del.C. §4002(f). There is no convincing evidence that she either has "advanced knowledge" of the District's bargaining strategies and basic proposals or is in any meaningful way involved in the formation of the District's negotiations stance.

We were particularly impressed by the fact that she has never been part of any District bargaining team. It is also absolutely clear to us, as it of course was to the Executive Director, that most of the documents that the Benefits Specialist maintains and depends upon for her benefit cost projections are public ones, regularly made available to the Association.

Not a confidential employee within the meaning of the Act, the Employee Benefits Specialist does fall within the existing bargaining unit

definition and is consequently part of this unit and appropriately represented by the Capital Educational Secretarial Association, DSEA/NEA.

The September 5, 1995 decision of the Executive Director is, therefore, affirmed.

**IT IS SO ORDERED.**

/s/Arthur A. Sloane

Chair

/s/Henry E. Kressman

Member

/s/John D. Daniello

Member

Dated: November 20, 1995