

The remedy requested included the issuance of a Temporary Restraining Order, Preliminary Injunction and Permanent Injunction requiring Kent County to maintain the status quo and rescind the proposed shift schedule and hours of work change, pending the outcome of the certification election.

An emergency hearing was convened by the PERB on Thursday, January 25 and Friday, January 26, 1995, in this matter.

Based upon the evidence received, the following order is entered:

1. Based upon insufficient proof establishing anti-union animus as a basis for the proposed schedule change, the unfair labor practice charge is dismissed, without prejudice.
2. In order to protect the rights of the employees as set forth in 19 Del.C. §1303, and pursuant to the authority vested in the PERB pursuant to 19 Del.C. §1301(3) and §1308, the County is directed to rescind the shift change schedule to be effective January 30, 1995, and to maintain the status quo through the certification of the election results.

IT IS SO ORDERED.

DATED: January 27, 1995

/s/Charles D. Long, Jr.
Executive Director
DE Public Employment Relations Bd.