

STATE OF DELAWARE  
PUBLIC EMPLOYMENT RELATIONS BOARD

INTERNATIONAL UNION OF ELECTRONIC,	:	
ELECTRICAL, SALARIED AND MACHINE	:	
WORKERS (IUE), AFL-CIO,	:	
	:	
Charging Party,	:	
	:	ULP No. 95-05-129
v.	:	<u>ULP No. 96-02-167</u>
	:	
KENT COUNTY,	:	
	:	
Respondent.	:	

**DENIAL OF MOTION TO ENJOIN EVIDENTIARY HEARING**

A hearing has been scheduled for Thursday, September 12, 1996, to receive evidence relating to the above captioned unfair labor practice charges.

On September 5, 1996, the Respondent, Kent County, filed a Motion to Enjoin Evidentiary Hearing, asserting that these charges were not yet ripe for initiation of discovery, based on the following:

- (a) PERB had not yet ruled upon the Charging Party's request that ULP No. 95-05-129 be joined with ULP No. 96-02-167;
- (b) PERB had not yet ruled upon the Respondent's Motion to Dismiss the Charging Party's Complaint in ULP No. 96-02-167;
- (c) PERB had not yet ruled upon the Respondent's March 5, 1996, request that PERB deny the Charging Party's post-deadline attempt to amend the Charging Party's Answer to Respondent's New Matter Pleadings in ULP No. 96-02-167.

By Order of Joinder dated September 6, 1996, ULP No. 95-05-129 and ULP No. 96-02-167 were joined.

The Respondent's Motion to Dismiss was denied and the Charging Party's Amended Answer to Respondent's New Matter was accepted by Order dated September 6, 1996.

The bases for the Respondent's Motion to enjoin the September 12, 1996, evidentiary hearing in this matter have been disposed of by and through the above-referenced Orders.

**WHEREFORE,** the Motion to Enjoin Evidentiary Hearing is denied. The hearing will commence as scheduled at 10:30 a.m. on Thursday, September 12, 1996.

**IT IS SO ORDERED.**

/s/Charles D. Long, Jr.  
CHARLES D. LONG, JR.  
Executive Director  
Del. Public Employment Relations Bd.

DATED: 6 September 1996