

STATE OF DELAWARE
PUBLIC EMPLOYMENT RELATIONS BOARD

AFSCME COUNCIL 81, LOCAL 1007)	
Petitioner)	
)	
)	
v.)	
)	ULP NO. 00-11-298
)	
DELAWARE STATE UNIVERSITY)	
Respondent)	

ORDER OF DISMISSAL

1. The Charging Party, American Federation of State, County, and Municipal Employees, Council 81, Local 1007 (“Union”) maintains its principal office located at 296 Churchmans Road, New Castle, Delaware 19720.
2. The Respondent, Delaware State University (“University”) maintains its main campus at 1200 North Dupont Highway, Dover, Delaware 19901-2277.
3. On or about November 14, 2000, Charging Party filed an Unfair Labor Practice Charge with the Public Employment Relations Board alleging that the University violated 19 Del.C. Section 1307(a)(5) when it unilaterally compelled Resident Managers to become residents of dormitories and when it forced Assistant Resident Managers to move out of the dormitory residences that had been provided to them as part of their employment, and further refused to negotiate impact of this decision with the Union.
4. On or about November 27, 2000, Respondent, Delaware State University filed its Answer to the Charge and New Matter requesting, *inter alia*, that Charging Party’s unfair labor practice charge be dismissed in that DSU neither violated the collective bargaining agreement between the parties nor committed an unfair labor practice.

5. On or about December 6, 2000, Charging Party filed its Answer to Respondent's New Matter allegations.
6. An informal conference was held on March 5, 2001 and further processing of the charge was held in abeyance pending settlement discussions.
7. On or about July 16, 2001, Charging Party declined to continue further discussion. A Probable Cause Determination, issued on August 20, 2001, found that the factual issues constituted probable cause to believe that an unfair labor practice may have occurred.
8. At the August 30, 2001 hearing, the parties jointly requested this matter be held in abeyance to allow for further discussion. The request was granted.
9. By letter dated October 15, 2001, Charging Party advised PERB the matter was resolved by mutual agreement and requested to withdraw the unfair labor practice charge.

WHEREFORE, this Charge is hereby dismissed with prejudice.

IT IS SO ORDERED.

/s/Charles D. Long, Jr.

CHARLES D. LONG, JR.

Executive Director

Public Employment Relations Board

DATED: October 23, 2001