

STATE OF DELAWARE

PUBLIC EMPLOYMENT RELATIONS BOARD

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| TIMOTHY N. JOYNES |) | |
| |) | |
| |) | |
| Charging Party |) | |
| |) | |
| |) | |
| v. |) | |
| |) | <u>ULP NO. 04-01-415</u> |
| |) | |
| STATE OF DELAWARE, |) | |
| DELAWARE ADMINISTRATION |) | |
| FOR REGIONAL TRANSIT/DELAWARE |) | |
| TRANSIT CORPORATION |) | |
| |) | |
| Respondent. |) | |

ORDER OF DISMISSAL

1. Timothy N. Joynes, (“JOYNES” or “Petitioner”) is an employee of the Delaware Transit Corporation, within the meaning of 19 Del. C. Section 1302(o) of the Public Employment Relations Act, and a member of the bargaining unit of public employees represented by the Amalgamated Transit Union, Local 842.
2. State of Delaware, Delaware Administration for Regional Transit/Delaware Transit Corporation ¹ (“DART” or STATE”), is a public employer within the meaning of 19 Del.C. Section 1302 (p) , of the Public Employment Relations Act.
3. On January 5, 2004, Petitioner filed an Unfair Labor Practice Charge with the Public Employment Relations Board (“PERB”). The charge alleged violations of 19 Del.C.

¹ The Delaware Authority for Regional Transit (“DART”) was created by the Delaware General Assembly in 1969 as a provider of public transit. In 1994 the General Assembly created the Delaware Transit Corporation (DTC) to oversee DART and the operation and management of the public transit system within Delaware. Currently, DTC is responsible for overseeing bus service along fixed routes throughout the State (Now “DART First State”).

Sections 1307(a)(1), (2), (4), (5), (7), (8), by DART when it allegedly threatened retaliation after Petitioner filed an earlier unfair labor practice charge, ULP No. 03-12-414.

4. On or about January 16, 2004, the State filed its Answer to the Unfair Labor Practice Charge, denying all material allegations, and alleging New Matter.
5. On or about January 27, 2004, Petitioner filed its Answer to the State's New Matter.
6. On February 26, 2004, the parties met for an informal conference to define the issues raised by the charges and to identify whether there were factual disputes which required a hearing.
7. Following the informal conference, by letter dated March 3, 2004, Petitioner requested to withdraw the charge.

WHEREFORE, this charge is hereby dismissed.

IT IS SO ORDERED.

/s/Deborah L. Murray-Sheppard
Deborah L. Murray-Sheppard
Principal Assistant
Public Employment Relations Board

DATED: 11 March 2004