STATE OF DELAWARE
PUBLIC EMPLOYMENT RELATIONS BOARD

AFSCME COUNCIL 81, LOCAL 247
Charging Party

v.

STATE OF DELAWARE,
OFFICE OF THE GOVERNOR and
STATE OF DELAWARE DEPARTMENT
OF CORRECTION
Respondents.

ORDER OF DISMISSAL

1. AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, COUNCIL 81, Local 247 ("AFSCME") is the exclusive bargaining representative for the bargaining unit, including, but not limited to, correctional teachers, within the meaning of 19 Del. C. Section 1302(j) of the Public Employment Relations Act, 1986.

2. State of Delaware, Office of the Governor and State of Delaware, Department of Correction (“State”) are public employers within the meaning of 19 Del.C. Section 1302 (p), of the Public Employment Relations Act, 1986.

3. On March 16, 2005, Petitioner filed an Unfair Labor Practice Charge with the Public Employment Relations Board (“PERB”), alleging violations of 19 Del.C. Sections
1307(a)(1), (3) (4), (5), and (6) by the State when it failed to adhere to the collective bargaining agreement, specifically, Articles 8, 15 and 28.

4. On or about April 8, 2005, the State filed its Answer to the Unfair Labor Practice Charge, admitting all material allegations, but denying that any actions by the State constituted an unfair labor practice.

5. By letter dated April 21, 2005, PERB was advised by AFSCME that the matter was resolved, consequently, the unfair labor practice charge was being withdrawn.

WHEREFORE, this charge is hereby dismissed.

IT IS SO ORDERED.

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

DATED: 26 April 2005