

**STATE OF DELAWARE**

**PUBLIC EMPLOYMENT RELATIONS BOARD**

<b>AFSCME COUNCIL 81, LOCAL 247</b>	)	
	)	
	)	
<b>Charging Party</b>	)	
	)	
	)	
<b>v.</b>	)	
	)	<b><u>ULP NO. 05-03-474</u></b>
	)	
<b>STATE OF DELAWARE,</b>	)	
<b>OFFICE OF THE GOVERNOR <i>and</i></b>	)	
<b>STATE OF DELAWARE DEPARTMENT</b>	)	
<b>OF CORRECTION</b>	)	
	)	
<b>Respondents.</b>	)	

**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2005, PERB was advised by AFSCME that the matter was resolved, consequently, the unfair labor practice charge was being withdrawn.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