

STATE OF DELAWARE

PUBLIC EMPLOYMENT RELATIONS BOARD

AMERICAN FEDERATION OF STATE, COUNTY,	)	
& MUNICIPAL EMPLOYEES, AFL-CIO,	)	
COUNCIL 81 AND ITS LOCAL UNION NOS.	)	
1007, 1267 and 2888,	)	
	)	
Charging Party,	)	<u>ULP No. 09-12-725</u>
	)	
v.	)	<b>Order of Dismissal</b>
	)	
DELAWARE STATE UNIVERSITY,	)	
	)	
Respondent.	)	

**BACKGROUND**

1. Delaware State University (“DSU” or “University”) is a public employer within the meaning of the Public Employment Relations Act, 19 Del.C. Chapter 13 (“PERA” or “Act”), §1302(p).

2. The American Federation of State, County & Municipal Employees, AFL-CIO, Council 81, through its affiliated Locals Nos. 1007, 1267 and 2888 (“AFSCME” or “Union”), is an employee organization within the meaning of 19 Del.C. §1302(i), of the Act and the exclusive bargaining representative of a bargaining unit of Clerical/Technical employees as defined in DOL Case 167, Plant Maintenance employees as defined in DOL Case 44, and Security employees as defined in DOL Case 61, respectively, within the meaning of §1302(j), of the Act.

3. DSU and the three AFSCME Locals are and have been parties to multiple collective bargaining agreements.

4. On December 21, 2009, AFSCME filed an unfair labor practice charge in which it alleges DSU has engaged in conduct which violates 19 Del.C. §1307 (a)(1), (2), (3), (5), and (7).<sup>1</sup> DSU filed its Answer denying the Charge on February 9, 2010, in which it included new matter. AFSCME filed its response denying the new matter on February 18, 2010.

5. A probable cause determination was issued on April 26, 2010, directing a hearing be conducted for purposes of creating a factual record. A prehearing conference was convened and the parties engaged in extensive and continuing efforts to resolve the underlying issues of the Charge.

6. By letter dated May 21, 2014, AFSCME advised the Public Employment Relations Board the parties had reached an amicable resolution to the Charge. The union requested to withdraw its Charge.

**WHEREFORE**, this unfair labor practice charge is hereby dismissed.

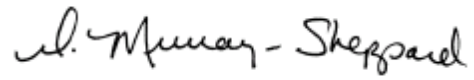
**IT IS SO ORDERED.**

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<sup>1</sup> §1307 (a) It is an unfair labor practice for a public employer or its designated representative to do any of the following:

- (1) Interfere with, restrain or coerce any employee in or because of the exercise of any right guaranteed under this chapter.
- (2) Dominate, interfere with or assist in the formation, existence or administration of any labor organization.
- (3) Encourage or discourage membership in any employee organization by discrimination in regard to hiring, tenure or other terms and conditions of employment.
- (5) Refuse to bargain collectively in good faith with an employee representative which is the exclusive representative of employees in an appropriate unit, except with respect to a discretionary subject.
- (7) Refuse to reduce an agreement, reached as a result of collective bargaining, to writing and sign the resulting contract.

DATE: May 30, 2014



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DEBORAH L. MURRAY-SHEPPARD  
Executive Director  
Del. Public Employment Relations Bd.