

STATE OF DELAWARE

PUBLIC EMPLOYMENT RELATIONS BOARD

CORRECTIONAL OFFICERS ASSOCIATION)
 OF DELAWARE,)
)
 Charging Party,)
)
 v.)
)
 DELAWARE DEPARTMENT OF CORRECTION,)
)
 Respondent.)

ULP No. 14-06-959

ORDER OF DISMISSAL

APPEARANCES

Lance Geren, Esq., Freedman & Lorry, P.C., for COAD

Aaron M. Shapiro, SLREP/HRM/OMB, for DOC

BACKGROUND

1. The State of Delaware is a public employer within the meaning of §1302(p) of the Public Employment Relations Act, 19 Del.C. Chapter 13 (PERA). The Department of Correction (DOC) is an agency of the State.

2. The Correctional Officers Association of Delaware (“COAD”) is an employee organization within the meaning of §1302(i) of the PERA and is the exclusive bargaining representative of the unit of uniformed rank and file Correctional Officers within the meaning of 19 Del.C. §1302(j).

3. COAD and the State are parties to a current collective bargaining agreement which has a term of July 1, 2012 through June 30, 2014.

4. On or about June 9, 2014, COAD filed an unfair labor practice charge with the

Delaware Public Employment Relations Board (“PERB”) alleging the State violated 19 Del.C. §1307 (a)(5) and (6), by “unilaterally changing the practice related to vacation schedules” at the James T. Vaughn Correctional Center.

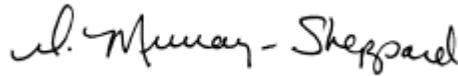
5. On or about June 18, 2014, the State filed its Answer denying the charges and asserting under new matter that the Charge was untimely and that it failed to raise a claim for which relief could be granted under the PERA.

6. By letter dated June 26, 2014, COAD advised the Public Employment Relations Board it wished to withdraw the Charge.

WHEREFORE, this unfair labor practice charge is hereby dismissed.

IT IS SO ORDERED.

Dated: June 30, 2014



DEBORAH L. MURRAY-SHEPPARD
Executive Director, Delaware PERB