

STATE OF DELAWARE

PUBLIC EMPLOYMENT RELATIONS BOARD

CORRECTIONAL OFFICERS ASSOCIATION OF	:	
DELAWARE,	:	
	:	
Petitioner,	:	
	:	D.S. No. 14-04-954
v.	:	
	:	ORDER OF DISMISSAL
DELAWARE DEPARTMENT OF CORRECTION,	:	
	:	
Respondent.	:	

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 is an agency of the State.

2. The Correctional Officers Association of Delaware, (COAD) is an employee organization within the meaning of 19 Del.C. §1302(i). It is the exclusive bargaining representative of unit of uniformed rank and file Correctional Officers, within the meaning of §1302 (j). *DOL Case 1.*

3. COAD and the State are parties to a collective bargaining agreement effective July 1, 2012, through June 30, 2014, to which they negotiated a successor agreement effective July 1, 2014, through June 30, 2015.

4. In preparation for bargaining over a successor agreement to be effective July 1, 2015,¹ COAD requested a declaratory statement from the Public Employment Relations Board (PERB) as to “whether longevity is a mandatory subject of bargaining”.

5. The State filed its response in opposition to the petition on May 12, 2014.

6. Thereafter, the parties engaged in negotiations for a successor agreement. During the period of these negotiations, this petition was held in abeyance.

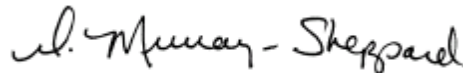
7. The parties successfully concluded their negotiations and entered into a successor agreement prior to December 1, 2014.

8. By letter dated January 14, 2015, COAD requested to withdraw its petition.

WHEREFORE, this petition for declaratory statement is hereby dismissed, without prejudice.

IT IS SO ORDERED.

DATE: January 23, 2015



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

¹ COAD is the majority union in a merit employee bargaining coalition for Unit 10. 19 Del.C. §1311A (c). Pursuant to Section 8 of the FY 2015 State budget (SB 255), negotiated agreements of merit compensation bargaining units must be negotiated and finalized by December 1, of the preceding year in order to be effective on July 1 of the following fiscal year.