

STATE OF DELAWARE

PUBLIC EMPLOYMENT RELATIONS BOARD

WILMINGTON FRATERNAL ORDER OF POLICE,)	
LODGE #1,)	
)	
Charging Party,)	ULP 16-04-1045
)	
v.)	ORDER OF DISMISSAL
)	
CITY OF NEW CASTLE, DELAWARE,)	
)	
Respondent.)	

Appearances

Jeffrey M. Weiner, Esq., for FOP Lodge #1

Wendy K. Voss, Esq., Potter Anderson & Corroon LLP, for the City

1. Wilmington Fraternal Order of Police Lodge #1 (“FOP”) is an employee representative within the meaning of §1602(f) of the Police Officers and Firefighters Employment Relations Act, 19 Del.C. Chapter 16 (“POFERA”). The FOP is the exclusive bargaining representative of a bargaining unit of City of New Castle Police officers within the meaning of 19 Del.C. §1602(g).

2. The City of New Castle, Delaware (City) is a public employer within the meaning of 19 Del.C. §1602(l).

3. The FOP and the City are parties to a collective bargaining agreement which has a term of the July 1, 2014 through June 30, 2017.

4. On or about April 28, 2018, the FOP filed an unfair labor practice charge with the Public Employment Relations Board (PERB) alleging the City had engaged in conduct which

violated 19 Del.C. §1607(a)(1), (a)(2) and (a)(5).

5. On or about May 6, 2016, the City filed its Answer, New Matter and Counter-Charge. The FOP responded to the New Matter and Counter-Charge on May 13, 2016.

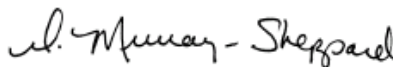
6. By Motion dated the August 1, 2016, the City moved to dismiss its counter-charges against the FOP, with prejudice, stating the parties had signed an agreement resolving the underlying dispute.

7. By Motion dated the August 3, 2016, the FOP moved to dismiss its unfair labor practice complaint against the City, with prejudice, also stating the parties had signed an agreement resolving the underlying dispute.

WHEREFORE, this unfair labor practice charge is hereby dismissed.

IT IS SO ORDERED.

DATE: August 8, 2016



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