

STATE OF DELAWARE

PUBLIC EMPLOYMENT RELATIONS BOARD

AMERICAN FEDERATION OF STATE, COUNTY,)	
AND MUNICIPAL EMPLOYEES, COUNCIL 81,)	
LOCAL UNIONS 1102 AND 320,)	
)	
Charging Parties,)	ULP 10-10-767
)	
v.)	ORDER OF DISMISSAL
)	
CITY OF WILMINGTON, DELAWARE,)	
)	
Respondent.)	

Appearances

Lance Geren, Esq., Freedman & Lorry, for AFSCME Locals 1102 & 320

Tara M. DiRocco, Assistant City Solicitor, for the City of Wilmington

1. The American Federation of State, County and Municipal Employees, AFL-CIO, Council 81 (AFSCME) is an employee organization within the meaning of §1302(i) of the Public Employment Relations Act, 19 Del.C. Chapter 13 (PERA). AFSCME, through its affiliated Locals 1102 and 320, is the exclusive bargaining representative of two bargaining units of City of Wilmington employees, within the meaning of 19 Del.C. §1302(j).

2. The City of Wilmington, Delaware (City) is a public employer within the meaning of 19 Del.C. §1302(p).

3. On or about October 13, 2010, AFSCME 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. §1307 (a)(5), (a)(6), and (a)(8).

4. On or about October 22, 2010, the City filed its Answer and New Matter. AFSCME

responded to the City's New Matter on October 26, 2010.

5. This Charge was consolidated with unfair labor practice Charge 10-08-761 at AFSCME's request of November 4, 2010.

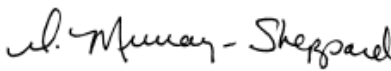
6. Along with ULP 10-08-761, processing of this Charge was held in abeyance while the parties engaged in extended negotiations for successor collective bargaining agreements to the predecessor agreements which expired on June 30, 2010 and December 31, 2009, respectively. They ultimately successfully concluded the negotiations and entered into collective bargaining agreements on December 1, 2015, which are effective through June 30, 2018. That settlement also resolved the issues raised in this Charge.

7. By letter dated January 6, 2017, AFSCME confirmed that the Charge may be administratively dismissed.

WHEREFORE, this unfair labor practice charge is hereby dismissed.

IT IS SO ORDERED.

DATE: January 24, 2017


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