

**STATE OF DELAWARE**  
**PUBLIC EMPLOYMENT RELATIONS BOARD**

AMERICAN FEDERATION OF STATE, COUNTY,	)	
AND MUNICIPAL EMPLOYEES, COUNCIL 81,	)	
LOCAL UNIONS 1102 AND 320,	)	
	)	
Charging Parties,	)	<b>ULP 12-08-872</b>
	)	
<b>v.</b>	)	<b>ORDER OF DISMISSAL</b>
	)	
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 August 6, 2012, 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)(1), (a)(5), and (a)(6).

4. On or about August 13, 2012, the City filed its Answer and New Matter. AFSCME

responded to the City's New Matter on August 20, 2012.

5. A Probable Cause Determination was issued on October 17, 2012. A prehearing conference was convened on December 4, 2012, at which time the parties requested the Charge be held in abeyance.

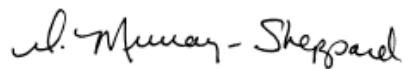
6. The Charge remained in abeyance while the parties engaged in extended negotiations for successor collective bargaining agreements to the predecessor agreements which expired on June 30, 2010 and December 31, 2009, respectively. They ultimately successfully concluded their negotiations and entered 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.