

STATE OF DELAWARE

PUBLIC EMPLOYMENT RELATIONS BOARD

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|--------------------------------|---|------------------------------------|
| AFSCME COUNCIL 81, LOCAL 1607, | : | |
| | : | |
| Petitioner, | : | |
| | : | |
| and | : | <u>REP 17-12-1128 (MOD)</u> |
| | : | |
| NEW CASTLE COUNTY, DELAWARE, | : | Order of Dismissal |
| | : | |
| Respondent. | : | |

RE: Register of Wills Office Administrator

Appearances

Lance Geren, Esq., Freedman & Lorry, PC, for AFSCME

Laura T. Hay, Esq., Assistant County Attorney, for New Castle County

BACKGROUND

1. New Castle County, Delaware, is a public employer within the meaning of 19 Del.C. §1302(p) of the Public Employment Relations Act, 19 Del.C. Chapter 13, (“PERA”).

2. AFSCME Council 81 (“AFSCME”) is an employee organization within the meaning of §1302(i) of the PERA. By and through its affiliated Local 1607, AFSCME is the exclusive bargaining representative of a bargaining unit (within the meaning of 19 Del.C. §1302(j)) of New Castle County employees as defined in certifications issued by the Delaware Department of Labor and the Public Employment Relations Board.

3. On or about December 1, 2017, AFSCME filed a representation petition

seeking to modify the bargaining unit represented by Local 1607 to include the Office Administrator position employed in the Register of Wills office.

4. On or about December 15, 2017, the County objected to the proposed modification of the bargaining unit asserting the Office Administrator is a “supervisory employee” within the meaning of 19 Del.C. §1302(s).

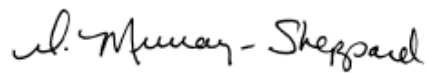
5. The petition was determined to be valid, properly supported and timely filed by the Public Employment Relations Board. A hearing was scheduled and properly noticed to be conducted on January 30, 2018, in order to receive evidence necessary to determine whether the Office Administrator was eligible for representation under the PERA.

6. By letter dated January 29, 2018, AFSCME requested to withdraw its modification petition.

WHEREFORE, the modification petition is hereby dismissed, without prejudice and the hearing scheduled for January 30, 2018, is cancelled.

IT IS SO ORDERED.

Date: January 29, 2018



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