

STATE OF DELAWARE
PUBLIC EMPLOYMENT RELATIONS BOARD

COMMUNICATIONS WORKERS OF AMERICA,	:	
AFL-CIO, LOCAL 13101,	:	
	:	Unfair Labor Practice Charge
Charging Party,	:	<u>No. 18-10-1165</u>
	:	
v.	:	ORDER OF DISMISSAL
	:	
STATE OF DELAWARE, DEPARTMENT OF SAFETY	:	
AND HOMELAND SECURITY, DIVISION OF STATE	:	
POLICE,	:	
	:	
Respondent.	:	

Appearances

Claiborne S. Newlin, Esq., Markowitz & Richman, for CWA Local 13101

Brenda James-Roberts, Administrator, SLREP, for the State

1. The State of Delaware (“State”) 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). The Department of Safety and Homeland Security (“DSHS”), Division of State Police (“DSP”) is an agency of the State.

2. The Communications Workers of America, AFL-CIO (“CWA”), is an employee organization within the meaning of 19 Del.C. §1302(i). By and through its affiliated Local 13101, the CWA is an exclusive bargaining representative, within the meaning of 19 Del.C. §1302(j) of a bargaining unit of Non-Uniformed Support Staff. *DOL Case 261.*

3. On October 19, 2018, CWA Local 13101 filed an unfair labor practice charge alleging the State engaged in conduct which violated 19 Del.C. §1307(a)(1) and (a)(5) when it refused a bargaining unit employee’s requests for union representation at meetings with DSP

staff concerning her work performance.

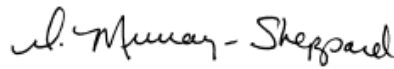
4. On November 8, 2018, the State filed its Answer to the Charge, which included New Matter, asserting the Charge failed to state a claim under the PERA. CWA Local 13101 filed its Response to New Matter on November 13, 2018, in which it denied the State's new matter and defenses.

5. A Probable Cause Determination was issued on June 19, 2019.

6. A hearing was scheduled and convened on August 23, 2019. During the hearing, the parties jointly requested the hearing be suspended pending settlement discussions between the parties.

7. By email dated September 17, 2019, CWA Local 13101 advised the Public Employment Relations Board, "in accordance with the settlement agreement of the parties, Local 13101 requests withdrawal of the above unfair labor charge."

WHEREFORE, this unfair labor practice charge is hereby dismissed in its entirety.



DATE: September 18, 2019

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