STATE OF DELAWARE
PUBLIC EMPLOYMENT RELATIONS BOARD

CORRECTIONAL OFFICERS ASSOCIATION OF DELAWARE, Charging Party,

v.

STATE OF DELAWARE, DEPARTMENT OF CORRECTION, Respondent.

ULP No. 15-02-988
ORDER OF DISMISSAL

APPEARANCES
Lance Geren, Esq., Freedman & Lorry, P.C., for COAD
Lauren E.M. Russell, Esq., Young Conaway Stargatt & Taylor, for the State

BACKGROUND

1. The State of Delaware ("State") is a public employer within the meaning of §1302(p) of the Public Employment Relations Act, 19 Del. C. Chapter 13 ("PERA"). The Department of Correction ("DOC") is an agency of the State.

2. The Correctional Officers Association of Delaware (COAD) is an employee organization within the meaning of 19 Del. C. §1302(i). It is the exclusive bargaining representative of the unit of uniformed rank and file Correctional Officers, within the meaning of 19 Del. C. §1302 (j). DOL Case 1. COAD represents bargaining unit employees at various DOC facilities, including Baylor Women’s Correctional Institution, Court and Transportation,
Employee Development Center, Howard R. Young Correctional Institution, James T. Vaughn Correctional Center, Morris Community Corrections Center/Central Violation of Probation, New Castle County Community Corrections, Sussex Community Corrections Center/Sussex Violation of Probation/Sussex Work Release Unit, and Sussex Correction Institution.

3. On February 12, 2015, COAD filed an unfair labor practice charge with the Public Employment Relations Board (“PERB”) alleging conduct by DOC in violation of 19 Del. C. §1307(a)(5) and (a)(6) On May 8, 2015, DOC filed its Answer to the Charge, including New Matter. On May 19, 2015, COAD filed its Response to New Matter.

4. A Probable Cause Determination was issued on June 10, 2015. Thereafter, a hearing was scheduled on multiple occasions and the parties mutually agreed to hold the charge in abeyance pending efforts to resolve the underlying dispute concerning the implementation of the eStar electronic time and attendance reporting. The parties engaged in a facilitated effort to resolve the dispute in 2021.

5. By letter dated April 20, 2021, counsel for COAD requested PERB voluntarily dismiss this charge.

WHEREFORE, this unfair labor practice charge is hereby dismissed.

IT IS SO ORDERED.

DATE: May 18, 2021

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