

STATE OF DELAWARE
PUBLIC EMPLOYMENT RELATIONS BOARD

<p>DELAWARE STATE UNIVERSITY CHAPTER OF THE AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS,</p> <p style="text-align:right">Charging Party,</p> <p style="text-align:center">v.</p> <p>DELAWARE STATE UNIVERSITY,</p> <p style="text-align:right">Respondent.</p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	<p>Unfair Labor Practice Charge <u>No. 23-04-1351</u></p> <p>ORDER OF DISMISSAL</p>
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APPEARANCES

Lance Geren, Esq., O’Donoghue & O’Donoghue LLP, for the AAUP
*James D. Taylor, Jr., Esq. and Carolyn A. Pellegrini, Esq., Saul Ewing Arnstein
and Lehr LLP, for DSU*

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

2. The Delaware State University Chapter of the American Association of University Professors (“AAUP”) is an employee organization within the meaning of 19 Del. C. §1302(i). It is the certified exclusive representative of the bargaining unit of Delaware State University employees as defined in DOL Case 113, within the meaning of 19 Del. C. §1302(j).

3. On April 19, 2023, the AAUP filed an unfair labor practice charge with the Public Employment Relations Board (PERB) alleging conduct by the University in violation of 19 Del. C. §1307(a)(1) and (a)(5). The Charge alleged the University refused to negotiate in good faith over compensation associated with work performed in connection

with the DSU Online platform. It also alleged the University was insisting to impasse on a permissive subject of bargaining, again in dereliction of its good faith obligations under the PERA and had engaged in dilatory tactics in negotiations.

4. On May 1, 2023, the University filed its Answer to the Charge in which it denied the AAUP's assertions that it had violated the Public Employment Relations Act, as alleged. It also included new matter in its Answer denying the charge stated a claim under the PERA and also denied it had failed or refused to bargain concerning DSU Online.

5. On May 8, 2023, the AAUP filed its response to new matter denying all the legal assertions included therein.

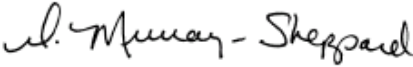
6. By letter dated July 14, 2023, the parties jointly notified PERB that an agreement in principle had been reached and that, following ratification by the AAUP, the Charge would be withdrawn.

7. By email dated September 17, 2024, the AAUP provided PERB with a copy of the successor collective bargaining agreement which has a term of July 1, 2022 through June 30, 2026. It requested this Charge be dismissed.

WHEREFORE, this unfair labor practice charge is hereby dismissed, as the underlying dispute was resolved.

IT IS SO ORDERED.

DATE: September 18, 2024


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