



State of Delaware  
Public Employment Relations Board  
4<sup>th</sup> Floor, Carvel State Office Building  
820 N. French Street  
Wilmington, Delaware 19801

Telephone: (302) 577-5070  
[deperb@delaware.gov](mailto:deperb@delaware.gov)  
<https://perb.delaware.gov>

AFSCME COUNCIL 81, LOCAL 3472, )  
 )  
and ) **Representation Petition No.**  
 ) **25-05-1460 (Modification)**  
 )  
UNIVERSITY OF DELAWARE. )

**NOTICE OF DETERMINATION – OPERATIONAL SUPPORT AGENTS**

1. The University of Delaware (“University”) is a public employer within the meaning of §1302(p) of the Public Employment Relations Act (“PERA”).

2. The American Federation of State, County, and Municipal Employees, AFL-CIO, Council 81 (“AFSCME”) is an employee organization within the meaning of 19 *Del. C.* §1302(i). AFSCME, through its affiliated Local 3472, is the exclusive bargaining representative of the University’s “skilled trades” bargaining unit (as referred to by the parties) within the meaning of 19 *Del. C.* §1302(j), as certified by the Governor’s Council on Labor in DOL Case 16.

3. AFSCME petitioned to modify the existing bargaining unit of skilled trades employees it represents to include OPERATIONAL SUPPORT AGENTS. The University objected to the proposed modification asserting that the Operational Support Agents do not share a community of interests with skilled trades employees. It asserted the petition was not properly filed under the rules of the Public Employment Relations Board.

4. The Public Employment Relations Board is charged with determining the appropriate bargaining unit for purposes of collective bargaining, based on the criteria set forth in §1310(d) of the PERA, which states: “In making its determination as to the appropriate bargaining unit, the Board or its designee shall consider such factors as the similarity of duties, skills and working conditions of the employees involved; the history and extent of the employee organization; the recommendation of the parties involved; the effect of overfragmentation of bargaining units on the efficient administration of government; and such other factors as the Board may deem appropriate.”

The determination of an appropriate bargaining unit results from a factual analysis of the specific facts and circumstances surrounding a request to modify a bargaining unit. The proposed bargaining unit need only be an appropriate unit under the criteria of §1310(d); it is not necessary that the proposed unit be the most appropriate unit. The petitioned-for bargaining unit is examined first, and if it is determined to be an appropriate unit, the examination ends.

5. By decision dated November 17, 2025,<sup>1</sup> the modification petition is determined to be properly filed.

6. The record in this case, however, is insufficient to support a finding that the Operational Support Agents, who are primarily tasked with administrative, support and customer service responsibilities, share a community of interests with the skilled trades positions in the bargaining unit currently represented by AFSCME 3472.

**WHEREFORE, the petition is denied and dismissed.**

**IT IS SO ORDERED.**

Dated: November 17, 2025

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

<sup>1</sup> A copy of the full decision may be found at <https://perb.delaware.gov/wp-content/uploads/sites/127/2025/11/1460-Decision-AFSCME-3472-UD-OSAs-website.pdf>