

STATE OF DELAWARE
PUBLIC EMPLOYMENT RELATIONS BOARD

DELAWARE PUBLIC EMPLOYEES, COUNCIL 81,	:	
LOCALS 3078, 3083, AND 3365, AFSCME,	:	
AFL-CIO,	:	
	:	
Charging Party,	:	
	:	<u>ULP No. 25-11-1514</u>
v.	:	
	:	ORDER OF DISMISSAL
STATE OF DELAWARE, DEPARTMENT OF SERVICES	:	
FOR CHILDREN, YOUTH AND THEIR FAMILIES,	:	
	:	
Respondent.	:	

BACKGROUND

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 Services for Children, Youth and Their Families (“DSCYF”) is an agency of the State.

2. The Delaware Public Employees, Council 81, AFSCME, AFL-CIO (“AFSCME”) is an employee organization within the meaning of 19 Del. C. §1302(i). AFSCME, through its affiliated Locals 3078, 3083, and 3365, is the exclusive bargaining representative of non-supervisory DSCYF employees within the Division of Family Services/Office of Children’s Services (“DFS/OCS”) and the Division of Management Services.

3. On November 12, 2025, AFSCME filed an unfair labor practice charge with the Public Employment Relations Board (“PERB”) alleging conduct by the State in

violation of 19 Del. C. §1307 (a)(5).¹ The Charge alleged the State failed to implement the terms of a successor collective bargaining agreement which was reached on September 26, 2025. Specifically, the Agreement requires the negotiated pay tables to be implemented “beginning the first day of the first full pay period following the full execution of [the] agreement.” *Exhibit A to the Charge, §27.1, Compensation.*

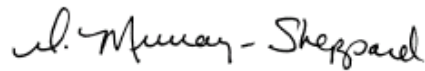
4. Prior to the State filing an Answer to the Charge, AFSCME contacted PERB by email on November 20, 2025, stating, “The State has advised and the Union has confirmed that the increases have been input [*sic*] and will be in the employees’ next paycheck and retro pay will be made.”

5. The November 20, 2025 email from AFSCME requested to withdraw the unfair labor practice charge.

WHEREFORE, this unfair labor practice charge is hereby dismissed.

IT IS SO ORDERED.

DATE: December 23, 2025



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

¹ (a) It is an unfair labor practice for a public employer or its designated representative to do any of the following:

(5) Refuse to bargain collectively in good faith with an employee representative which is the exclusive representative of employees in an appropriate unit.