Telephone: (302) 577-5070
Email: deperb@delaware.gov
https://perb.delaware.gov

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

NOTICE OF MODIFICATION ELECTION

AFSCME Local 2038 & Delaware Department of Labor
Hearing Officers
REP 26-02-1526 (MOD)

POLLING TO BE CONDUCTED ELECTRONICALLY

PURPOSE OF ELECTION

AN ELECTION BY SECRET BALLOT WILL BE CONDUCTED, under the supervision of the Public Employment Relations Board, among all **REGULAR FULL-TIME AND REGULAR PART-TIME NON-SUPERVISORY HEARING OFFICERS EMPLOYED BY THE DELAWARE DEPARTMENT OF LABOR**, to determine whether those employees desire to be represented by AFSCME Local 2038 for purposes of collective bargaining, as part of the existing bargaining unit of Dept. of Labor employees as defined in DOL Case 58.

ELIGIBLE VOTERS

All regular full-time and regular part-time non-supervisory

HEARING OFFICERS

employed by the Delaware Department of Labor

Employees defined as ELIGIBLE VOTERS who did not work during the payroll period because they were ill or on vacation or temporarily laid off and employees in the military service of the United States are eligible to vote.

Secret Ballot Election Procedures

This election will be by SECRET ballot cast electronically through the State of Delaware email system.

- Each eligible voter will receive an email to their work email address from the Public Employment Relations Board which includes a sample ballot and an electronic voting option. Ballots will be sent by email on Wednesday, March 11, 2026.

- The email provides each voter with the option to either choose "YES" (indicating a choice for the group to be represented as part of the existing bargaining unit of DOL employees represented by AFSCME Local 2038) or "NO" for the group to remain unrepresented.

- Voters will cast their votes by clicking the voting button icon in the "Respond" options, clicking their choice, and then sending the responsive email back to PERB. Instructions will be provided in the email to all voters.

Authorized Observers

AFSCME Local 2038 and DOL may each designate one observer and one alternate to observe the counting of the ballots on Wednesday, March 25, 2026, at 2:00 PM. The observers should be persons familiar with the eligible voters.

INFORMATION CONCERNING THE ELECTION

THE RESULTS OF THIS ELECTION WILL BE DETERMINED BY THE MAJORITY OF THE VOTES CAST. The ballots will be counted on **Wednesday, March 25, 2026, at 2:00 PM.** The Public Employment Relations Act provides that only one valid representation election may be held in a twelve (12) month period.

Any employee who desires to obtain further information concerning the terms and conditions under which this election is to be held or who desires to raise any question concerning the holding of an election, the voting unit, or eligibility rules may do so by communicating directly with the Public Employment Relations Board at its office located at:

Public Employment Relations Board, 4th Floor, Carvel State Office Building
820 N. French Street, Wilmington, DE 19801, (302) 577-5070, deperb@delaware.gov

Polling Procedure

Ballots will be sent to each eligible voter by email on Wednesday, March 11, 2026.

All votes must be cast by email on or before noon on Wednesday, March 25, 2026.

If you believe you are an eligible voter and do not receive a ballot by email on or before Monday, March 16, 2026, please contact PERB immediately at (302) 577-5070 or deperb@delaware.gov.

Sample - OFFICIAL SECRET BALLOT - *Sample*

Representation Petition No. 26-02-1526 (MOD)

The purpose of this election is to determine whether **HEARING OFFICERS** employed by the Delaware Department of Labor desire to be represented for purposes of collective bargaining, pursuant to 19 Del. C. §1311, as part of the existing bargaining unit of DOL employees currently represented by AFSCME Local 2038. DOL Case 58.

DO YOU WISH TO BE REPRESENTED FOR PURPOSES OF COLLECTIVE BARGAINING BY AFSCME LOCAL 2038, AS PART OF THE EXISTING BARGAINING UNIT OF DOL EMPLOYEES?

YES ☐

NO ☐

All ballots must be received on or before noon on Wednesday, March 25, 2026, to be counted.