

STATE OF DELAWARE
PUBLIC EMPLOYMENT RELATIONS BOARD

DELAWARE STATE AND FEDERAL EMPLOYEES	:	
LOCAL 1029, LABORERS INTERNATIONAL UNION	:	
OF NORTH AMERICA, AFL-CIO,	:	
	:	Unfair Labor Practice Charge
Charging Party,	:	<u>No. 25-09-1504</u>
	:	
v.	:	
	:	ORDER OF DISMISSAL
DEPARTMENT OF HEALTH AND SOCIAL	:	
SERVICES, DIVISION OF SUBSTANCE ABUSE AND	:	
MENTAL HEALTH, CRISIS INTERVENTION	:	
SERVICES,	:	
	:	
Respondent.	:	

APPEARANCES

*Raymond G. Heineman, Esq., Kroll Heineman Ptasiewicz & Parsons,
for LiUNA Local 1029*

*Khrishna C. Hawkins, DHR Labor Relations Manager, and Thomas D.
Walsh, DHR Labor Relations Administrator, for DHSS, DSAMH, CIS*

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 Health and Social Services (“DHSS”) is an agency of the State. The Division of Substance Abuse and Mental Health (“DSAMH”) is an organizational division within DHSS, and the Office of Crisis Intervention Services is a DSAMH unit.

2. The Delaware State and Federal Employees Local 1029 of the Laborers

International Union of North America, AFL-CIO, (“LiUNA Local 1029”) is an employee organization within the meaning of 19 Del. C. §1302(i) and is the exclusive representative of a bargaining unit of DHSS/DSAMH/CIS employees within the meaning of 19 Del. C. §1302(j).

3. On September 24, 2025, LiUNA Local 1029 filed an unfair labor practice charge with the Delaware Public Employment Relations Board (“PERB”) alleging conduct by the State in violation of 19 Del. C. §1307(a)(1), (a)(5) and (a)(7).¹ Specifically, the Charge alleged the State had refused to sign a mutually negotiated collective bargaining agreement and to implement the terms of that agreement.

4. On October 13, 2025, the State filed its Answer to the Charge, including an assertion in New Matter that the Charge failed to allege facts sufficient to support the Charge. LiUNA Local 1029 filed its Response to the State’s New Matter on October 23, 2025, in which it denied the legal defenses and conclusions asserted by the State.

5. A Probable Cause Determination was issued on March 11, 2026, directing that a hearing be scheduled in order to develop a full and complete factual record on which argument could be made and a decision rendered. The hearing was scheduled and noticed for May 1, 2026.

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

- (1) Interfere with, restrain or coerce any employee because of the exercise of any right guaranteed under this chapter.
- (5) Refuse to bargain collectively in good faith with an employee representative which is the exclusive representative of employees in an appropriate unit, except with respect to a discretionary subject.
- (7) Refuse to reduce an agreement, reached as a result of collective bargaining, to writing and sign the resulting contract.

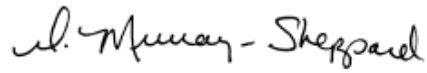
6. By email dated April 30, 2026, the State notified PERB by email that the parties had signed a settlement agreement resolving the unfair labor practice charge.

7. Later on April 30, 2026, LiUNA Local 1029 notified PERB, "... that the parties have reached an agreement ... Accordingly, Local 1029 requests the withdrawal of the charge ... and the adjournment of tomorrow's hearing."

WHEREFORE, this unfair labor practice charge is hereby dismissed.

IT IS SO ORDERED.

DATE: June 29, 2026



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