

STATE OF DELAWARE



EXECUTIVE DEPARTMENT  
DOVER

EXECUTIVE ORDER  
NUMBER FORTY-THREE

To: Heads of all State Departments, Boards  
Commissions and Agencies

Subject: Rights of State Employees to Organize  
in Labor Unions

WHEREAS, this Administration encourages harmonious and cooperative relationships between the State of Delaware and its employees; and

WHEREAS, it would be desirable to provide procedures which facilitate free and frequent communication between the State and its employees, either individually or by and through their authorized representatives; and

WHEREAS, the right to full freedom of association, self-organization and the designation of representatives of their own choosing for the purpose of communicating their views to the State on matters related to the conditions of public employment should be unquestioned; and

WHEREAS, this right should not be subjected to interference, restraint, discrimination or coercion; and

WHEREAS, this Administration continues to support the views that employees, who are members of any union recognized by a State department, board, commission or agency, should be able to pay their monthly membership dues by means of payroll deduction;

NOW, THEREFORE, by virtue of the authority vested in me as Governor of Delaware, it is hereby stated and ordered as follows:

1. Employees shall have the right to organize and designate representatives of their own choice. In the exercise of this right they shall be free from any and all restraint, interference or coercion on the part of supervisory and administrative personnel.
2. There shall be no discrimination against any employee because such employee has formed, joined or chosen to be represented by any labor organization or employee organization. Conversely, the matter of membership in any employee organization is one to be determined by each individual employee. Supervisory employees should not endorse any particular employee organization or, by reason of membership in any such organization show prejudice or discriminate toward any individual employee.

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3. It is a fundamental responsibility of supervisors at all levels to consider and, commensurate with authority delegated by the head of the department, board, commission or agency, to take appropriate action promptly upon the grievance of their subordinates. To this end appropriate authority shall be delegated to supervisors by heads of departments, boards, commissions or agencies.
4. The heads of State departments, boards, commissions or agencies -- or their designated representatives -- are encouraged to hold conferences, at appropriate times, with employees and/or their authorized representatives, on problems relating to conditions of employment and the continued improvements of the public service and are encouraged to discuss with them, wherever practicable, proposed new rules or modifications of existing rules in advance of their promulgation.
5. The provisions of this order and the procedures established hereunder shall be applicable in any department, board, commission or agency to conditions which are in whole or in part subject to the control of the head of such department, board, commission or agency and which involve safety or health matters, physical facilities, surroundings, material or equipment, supervisory practices, assignment of working hours or personal time allowances, work quotas and all other similar conditions of employment.
6. Whenever the procedures under a Merit System statute, rule or regulation are exclusive with respect to matters otherwise comprehended by this order, they shall apply and shall be followed.
7. Procedures for membership dues collected by payroll deduction shall be accomplished by the employee signing the approved authorization cards for deduction of a monthly amount of dues certified by the secretary of the union or association as being the monthly dues of the local union or association. The total of such dues collected shall be delivered by the State Treasurer to the treasurer of the local union or association.

APPROVED this 24th day of September, 1964



By the Governor

ATTEST:

  
Secretary of State

