

STATE OF DELAWARE



EXECUTIVE DEPARTMENT  
DOVER

**EXECUTIVE ORDER  
NUMBER SEVENTY**

**RE: STATE EMPLOYEES AND THE RIGHT TO ORGANIZATION AND  
EFFECTIVE UNION REPRESENTATION**

WHEREAS, in accordance with state and federal law, state employees have the right of organization and union representation;

WHEREAS, experience in the public and private sector indicates that fully protecting the right to participate in employee organizations contributes to fair and effective human resource policies and programs;

WHEREAS, the decision to organize must rest with state employees and management should not seek to intervene or influence such decisions;

WHEREAS, state employees must be afforded the opportunity to make such decisions, free of undue influence from management;

WHEREAS, it is the policy of this Administration to strictly observe the right of state employees to organize and engage in collective bargaining;

WHEREAS, it is the policy of this State to ensure that employees have access to information provided by employee organization representatives and other bargaining unit representatives concerning union representation and collective bargaining;

WHEREAS, it is important that state employee union representatives be afforded the opportunity to fully represent their members; and

WHEREAS, state employee union representatives should be afforded the opportunity to make formal presentations before the Director of the Office of Management and Budget so that state employee concerns are given full consideration.

NOW, THEREFORE, I, RUTH ANN MINNER, by virtue of the authority vested in me as Governor of Delaware, do hereby order and declare that:

1. Managers and supervisors shall not interfere or otherwise hinder state employee efforts to exercise their right to organize for purposes of collective bargaining.
2. It is the policy of this State to maintain a neutral position as to whether employees become involved in an organizing campaign.
3. Managers and supervisors shall not express any view, argument, or opinion on employee organization or collective bargaining except to:
  - a. Publicize the fact of a union representation election and encourage employees to vote; and
  - b. Inform employees of the requirements of this executive order relating to labor management relations and representation.
4. The distribution of literature and solicitation of employees during working hours in violation of the Public Employee Relations Act is strictly prohibited. State agencies shall authorize such activity in non-work areas, during non-work hours when the activity does not otherwise interfere with operations, provided that such authorization is otherwise consistent with state and federal law.
5. State employee union representatives shall be afforded the opportunity to make presentations to the Director of the Office of Management and Budget at public hearings held pursuant to 29 Del. C. §6332.

6. Executive Order Number 72, dated December 30, 1999, is hereby rescinded.

Approved this 7<sup>th</sup> day of July, 2005.



Ruth Ann Minner  
Governor

ATTEST:

Harriet Smith Windsor  
Secretary of State