

STATE OF DELAWARE



EXECUTIVE DEPARTMENT
DOVER

EXECUTIVE ORDER
NUMBER ONE HUNDRED TWENTY-SEVEN

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES
RE: ESTABLISHMENT OF THE OFFICE OF LABOR RELATIONS

WHEREAS, the policy of the State is to promote harmonious and cooperative relationships between the State and its employees and to insure the orderly and uninterrupted operations and functions of State government; and

WHEREAS, employees of the State, pursuant to Title 19, Chapter 13 of the Delaware Code have the right to organize and designate representatives of their own choosing for the purpose of collective bargaining with the State concerning specified aspects of their employment; and

WHEREAS, a number of employee units have been created throughout the various departments and divisions of State government, many prior to the establishment of the cabinet-form of government; and

WHEREAS, employee relations in the public sector, as in the private sector, is a process which requires that representatives of both labor and management be well informed as to issues, legal precedents, scope of bargaining, procedural ground rules and negotiating strategy; and

WHEREAS, collective bargaining in Delaware State government has been highly decentralized, taking place on a departmental level with no central review or control or provisions ultimately agreed upon and with limited departmental communication and coordination; and

WHEREAS, the separate negotiation of similar items has resulted in contract provisions that bring about disparate treatment of State employees in similar circumstances; and

WHEREAS, the operating budget for FY 1983 established the Office of Labor Relations in the Executive Office; and

WHEREAS, the Executive and legislative branches agree that labor relations in Delaware State government should be managed centrally in a responsible manner consistent with Delaware statutes and announced policy relating to maintaining effective employee-employer relationships; and

WHEREAS, it is the further intent of the Executive and legislative branches that the Office of Labor Relations assume the central managerial role over departments/agencies in the Executive Branch of Government and assume an advisory managerial role with public and higher education and the Judicial Branch of Government;

NOW, THEREFORE, I, PIERRE S. du PONT, IV, by virtue of the authority vested in me as Governor of the State of Delaware do hereby declare and order as follows:

1. There is hereby created an Office of Labor Relations in the Executive Department, the Director of which shall be appointed by, and report to, the Governor.

2. The Office of Labor Relations shall promptly assume the central managerial role over all labor relations matters in the Executive Branch of Government to maintain consistency and uniform treatment of employees in an employee-employer relationship. Public and Higher Education and the Judicial Branch of Government are urged to utilize the Office of Labor Relations in an advisory role.

3. Under the general policy guidance of the Governor, the Labor Relations Office is charged with the following duties and responsibilities:

(a) Compile information provided by State agencies pertinent to State employee collective bargaining; such information to include, but not be limited to the following:

(1) Negotiated labor agreements in a format to allow for analysis of major contract clauses;

(2) Attorney General opinions in the area of labor-management relations;

(3) Significant court decisions;

(4) Arbitration awards.

(b) Provide direction, as well as technical assistance, to departmental personnel in the areas of:

(1) Pre-negotiation review of major issues and the development of management's position;

(2) Direction and assistance to the bargaining team in negotiations over issues of statewide interest;

(3) Direction and assistance to departmental personnel in the administration of the collective bargaining agreements;

(4) Direct the preparation and/or presentation of management's position or cases before administrative agencies and the courts; and

(5) Direct the preparation of management's cases for arbitration hearings.

(c) Direct the review of strategies, goals and objectives and bargaining positions by management in the collective bargaining process.

(d) Direct the development of uniform state policies on major collective bargaining issues.

(e) Organize seminars and in-house training sessions in all areas of public sector labor relations to improve their skills and allow for the informal exchange of ideas and information.

(f) Coordinate staff work for compensation studies as required.

(g) Recommend changes in administrative procedures and Delaware law to improve the collective bargaining process.

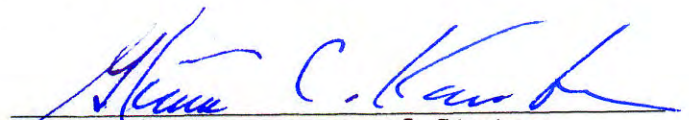
4. The Office of Labor Relations shall call upon any department, office, division or agency within the Executive Branch of State government to supply such statistical data, reports and other information and materials as it deems necessary to discharge its duty and responsibility under this Executive Order.

5. Each department, office, division or agency within the Executive Branch of State government is authorized and directed to the extent not inconsistent with law, to assist and cooperate with the Office of Labor Relations in the coordination of collective bargaining and the administration of collective bargaining agreements.

APPROVED this 9th day of May ,
1983.


Governor

ATTEST:


Secretary of State

