

State of Maryland  
State Labor Relations Board

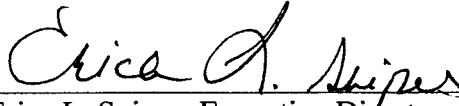
In the matter of:	)	
Danielle J. McKay,	)	SLRB ULP Case No. 09-03
	)	
Petitioner,	)	
	)	
v.	)	
	)	
Tammy Kolb, Office Manager	)	
Pediatric Partners, LLC,	)	
	)	
Respondent	)	

Administrative Dismissal for Insufficient Service & Lack of Jurisdiction/Failure to State a Claim  
under Board Law or Regulations

On November 26, 2008, Petitioner Danielle J. McKay filed an unfair labor practice complaint before the State Labor Relations Board ("Board"), pursuant to COMAR 14.32.05. In her complaint, Ms. McKay asserted that Ms. Kolb, Office Manager for Pediatric Partners, LLC ("Respondent") has teased her about inappropriate matters in front of fellow office staff, purchased inappropriate material for her, has "looked for ways to get rid" of her, and ultimately wrongfully terminated Ms. McKay's employment with Pediatric Partners, LLC.

Petitioner's complaint is deficient in three respects. First, Petitioner failed to file a certificate of service, attesting that the complaint had been served upon the Respondent, pursuant to COMAR 14.32.02.12. Second, Petitioner's complaint fails to demonstrate that the Respondent is an employee or branch any of the units of state government described in State Personnel & Pension Article §3-101(a)(1) through (4). Third, Petitioner fails to state a claim under the State Personnel and Pension Article §3-306, or under corresponding Board regulations at COMAR 14.32.05, upon which relief may be appropriately granted.

Accordingly, this complaint is administratively dismissed, because of deficient service, lack of Board jurisdiction to consider the complaint, and failure to state a claim under State law or regulations.

  
Erica L. Snipes, Executive Director  
MD State Labor Relations Boards  
State Labor Relations Board

12/2/08  
Date