

State of Maryland
State Labor Relations Board


In the matter of:)	
Michael Scott Frazer,)	SLRB ULP Case No. 09-U-04
)	
Petitioner,)	
)	
v.)	
)	
Maryland Aviation Administration,)	
BWI Fire Rescue Department,)	
Fire Chief Woodrow Cullum,)	
)	
Respondents)	

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

On December 15, 2008, Petitioner Michael Scott Frazer filed a complaint before the State Labor Relations Board ("Board"), pursuant to COMAR 14.32.05. In his complaint, Mr. Frazer asserted that the above named respondents had discriminated in the hiring and/or promotion of certain candidates to the position of Airport Fire Lieutenant. Mr. Frazer asserts that racial bias and/or discrimination played a roll in the ultimate decision of which candidates were offered the promotion.

Petitioner's complaint is deficient in two 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 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, and failure to state a claim under State law or regulations. Assuming, *arguendo*, that the deficient service could be corrected, such action would not affect the conclusion that the charge must be dismissed for failure to state a claim under the laws and regulations of the State Labor Relations Board which are administered by this office.


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

12/18/08
Date