

**State of Maryland**  
*State Labor Relations Board*

In the matter of:	)	
Jin Feng,	)	
	)	
Petitioner,	)	
	)	
v.	)	SLRB Case No.
	)	2023-U-07
Quest Diagnostics, Inc.,	)	
	)	
Respondent.	)	

Board Dismissal for Lack of Jurisdiction

On March 27, 2023, Petitioner Jin Feng (Feng) filed an Unfair Labor Practice Complaint against Quest Diagnostics, Inc. (Quest), pursuant to State Labor Relations Board (SLRB) Regulations at COMAR 14.32.05.

Feng alleges that he is experiencing discrimination by Quest due to his employment status. Feng notes that both part time and full time employees who were with Quest before September of 2022 are entitled to an annual bonus. Feng states that has not received this bonus, despite being in Quest’s system since April of 2022. Feng disputes his “on call” employment status, noting that he has worked forty hours per week for the last eleven months. Additionally, Feng states that his job duties (drawing blood, manifesting the specimen, conducting drug screenings, receiving proper payments, and traveling to different sites to cover shifts) include everything that is done by full time employees. Feng argues that his “on call” status is being used to deny him of the annual bonus. As remedy, Feng requests that the SLRB require Quest to pay him the annual bonus, as well as the money for the uniform, which was paid to other employees in February 2023.

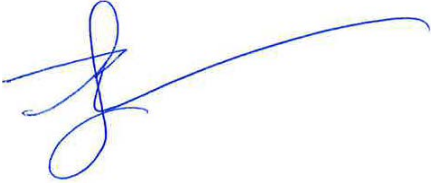
Feng is not a covered employee under the Maryland Collective Bargaining Law, State Personnel and Pensions Article, Sections 3-101 through 3-602, Annotated Code of Maryland. Accordingly, Feng’s Complaint is hereby dismissed.

**Annapolis, MD**  
**April 25, 2023**

**BY ORDER OF THE STATE LABOR RELATIONS BOARD:**



Richard A. Steyer, Chair



LeRoy A. Wilkison, Member



Nancy J. Courson Cooke, Member



Olivia D. Vaughns, Member

Appeal Rights

Any party aggrieved by this action of the Board may seek judicial review in accordance with Title 10 of the State Government Article, Annotated Code of Maryland, Section 10-222, and Maryland Rule 7-201, *et. seq.*