

State of Maryland
State Labor Relations Board

| | | |
|---------------------------------|---|-------------------------|
| In the matter of: |) | |
| Berlie Thomas |) | |
| |) | |
| Petitioner, |) | |
| |) | SLRB Case No. 2018-U-24 |
| v. |) | |
| |) | |
| Maryland Transit Administration |) | |
| |) | |
| Respondent. |) | |

Board Dismissal for Lack of Jurisdiction

On March 5, 2018, Petitioner Berlie Thomas (“Thomas”) filed an unfair labor practice complaint before the State Labor Relations Board (“Board”), pursuant to COMAR 14.32.05. In her complaint, Thomas alleges that Respondent, the Maryland Transit Administration (“MTA”) wrongfully terminated her employment. Thomas alleges that, contrary to MTA’s explanation for terminating her, she had completed her ninety day probation period. Thomas argues that because the MTA was factually incorrect in its assessment of the length of her tenure, her relief from this alleged unfair labor practice should be reinstatement, with the appropriate wages and employee benefits.

Thomas’s complaint is deficient in that she fails to demonstrate that she is an employee of any of the units of State government described in State Personnel & Pension Article §3-102(a). Further, based on §3-102(b)(1), the State Personnel & Pension Article is inapplicable to employees of the MTA:

- (b) Inapplicable. -- This title does not apply to:
 - (1) employees of the Maryland Transit Administration, as that term is defined in §7-601(a)(2) of the Transportation Article;

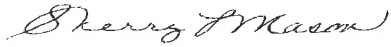
Accordingly, this complaint is dismissed due to a lack of Board jurisdiction to consider the complaint.

Issue Date: May 24, 2018

For The State Labor Relations Board:



Edward J. Gutman, Chair



Sherry L. Mason, Member



Doris S. Mason, Member



LeRoy A. Wilkison, 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.*