

State of Maryland
State Labor Relations Board

In the matter of:)	
Caitlin Billups,)	
)	
Petitioner,)	
)	SLRB Case No. 20-U-02
v.)	
)	
Max Soto,)	
)	
Respondent.)	

Board Dismissal for Failure to State a Claim under Board Law or Regulations,
Lack of Jurisdiction & Lack of Proper Service of Complaint

On September 3, 2019, Petitioner Caitlin Billups (“Billups”) filed an unfair labor practice complaint before the State Labor Relations Board (“Board”), pursuant to COMAR 14.32.05. In her complaint, Billups alleges that Respondent, Max Soto (“Soto”), who hired her to work for Rethink Direct, Inc., on July 19, 2019, neglected to pay her for three days of work, July 22 through July 25. Billups states that on August 14, 2019, she called Soto to inquire about her payment for the time she worked. Soto stated that would be in touch with Billups’ supervisor and then contact Billups regarding any payment owed. Billups alleges that she never heard from Soto, so she went to the Rethink Direct office on August 23, 2019, where she met with Soto and the supervisor she had when working. Billups alleges that Soto informed her that she would not receive a check because she “suddenly stopped working.” Billups alleges that she met again with Soto on August 26, 2019, when Soto reaffirmed that she would not be paid, because Rethink Direct has a company policy to send payment only after completion of a five day work week. As relief, Billups is requesting the money she alleges she is owed, \$216 plus the training time, for working from 10:00 a.m. through 7:00 p.m. for two days, plus commission owed.

Billups’ 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, Billups fails to allege any violation as defined in State Personnel & Pensions Article, §3-306. Finally, Billups has not demonstrated proper service of this complaint based on COMAR 14.32.05.02B, requiring service by certified mail, return receipt requested.

Accordingly, this complaint is dismissed due to failure to state a claim upon which relief can be granted, lack of Board jurisdiction to consider the complaint, and

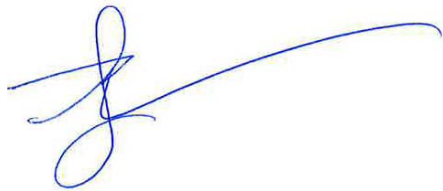
improper service.

Issue Date: November 4, 2019

For The State Labor Relations Board:



Richard A. Steyer, Chair



LeRoy A. Wilkison, Member



Doris S. Mason, Member



Nancy J. Courson, 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.*