

State of Maryland
State Higher Education Labor Relations Board

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| In the matter of: |) | |
| |) | |
| Mahtab Dabir, |) | SHELRB ULP |
| |) | Case No. 2014-03 |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | |
| |) | |
| University of Maryland, |) | |
| University College |) | |
| |) | |
| Respondent. |) | |

Board Dismissal for Lack of Jurisdiction and/or Failure to State a Claim

On February 11, 2014, the State Higher Education Labor Relations Board (“SHELRB”) received a complaint from Petitioner Mahtab Dabir, pursuant to COMAR 14.30.07.¹ In her complaint, Ms. Dabir alleges that she was improperly terminated from the University of Maryland University College (UMUC) based on Section 5-305.1.i of the Whistleblower law. In addition to her complaint, Ms. Dabir submitted information as to her various comments and activities regarding University hiring and contracting practices in the information technology area, as well as UMUC supervisor communications with her, based on those comments and activities.

Petitioner’s complaint is deficient in that the SHELRB does not have jurisdiction over claims filed based on Maryland’s Whistle Blower Law, and additionally, Ms. Dabir alleges no violations based on the Collective Bargaining Law, State Personnel & Pensions Article, §3-101 through §3-602.

Accordingly, this complaint is dismissed for petitioner’s failure to state a claim under SHELRB regulations and jurisdiction.

Issue Date: April 21, 2014

Annapolis, Maryland

¹ Note that Ms. Dabir’s petition was not received until February 11, 2014, although the date within the complaint was December 29, 2013. This delay is due to the SHELRB office move, and the failure of the previous office management to advise the SHELRB office of mail remaining at the old location. Despite the administrative delay in receiving this complaint, however, timeliness of filing is not an issue that contributed to board disposition of this matter.

For The State Higher Education Labor Relations Board:



Karl K. Pence, Chairman

APPEAL RIGHTS

Any party aggrieved by this action of the SLRB may seek judicial review in accordance with Title 10, Subtitle 2 of the State Government Article, Annotated Code of Maryland, Sec. 10-222 (Administrative Procedure Act—Contested Cases), and Maryland Rules CIR CT Rule 7-201 *et seq.* (Judicial Review of Administrative Agency Decisions).