

State of Maryland  
State Labor Relations Board

In the matter of:	)	
Jimmie Purvis,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	SLRB ULP Case No. 16-U-02
	)	
Prince George’s County Public Schools,	)	
Calvin Stover, Acting Director of	)	
Labor & Employee Relations,	)	
	)	
Respondents	)	

Board Dismissal for Lack of Jurisdiction over Petitioner

On August 9, 2015, Petitioner Jimmie Purvis, a former employee of Prince George’s County Public Schools, filed a complaint before the State Labor Relations Board (“Board” or “SLRB”), pursuant to COMAR 14.32.05. In Petitioner’s complaint, captioned as SLRB Case 16-U-02, he alleges that his employer, Prince George’s County Public Schools, inappropriately denied him medical leave three times, and that the Acting Director of Labor & Employee Relations, named here as a respondent, had received statements and information from Petitioner in early May 2015 regarding the leave situation, and has stated that he would notify Petitioner of a finding regarding the situation. Petitioner states, however, that he has not received any correspondence from the Acting Director of Labor & Employee Relations to date, and that he, Petitioner, has been off of work for eight months without pay.

Petitioner’s complaint is deficient for lack of jurisdiction. Petitioner is not a state or university employee for purposes of establishing the jurisdiction of the State Labor Relations Board. Title 3 of the State Personnel & Pensions Article, under which the State Labor Relations Board functions, states at §3-102(a) that this title applies to:

- (1) all employees of:
  - (i) the principal departments within the Executive Branch of State Government;
  - (ii) the Maryland Insurance Administration;
  - (iii) the State Department of Assessments and Taxation;
  - (iv) the State Lottery Agency;
  - (v) the University System of Maryland, Morgan State University, St. Mary’s College of Maryland, and Baltimore City Community College;
  - (vi) the Comptroller;
  - (vii) the Maryland Transportation Authority who are not police officers;

- (viii) the State Retirement Agency; and
- (ix) the State Department of Education; and
- (2) all full-time Maryland Transportation Authority police officers at the rank of first sergeant and below.

Because Title 3 does not apply to Petitioner, the State Labor Relations Board lacks jurisdiction over this matter. Accordingly, Petitioner's complaint is dismissed.

Issue Date: September 3, 2015

Annapolis, Maryland

**For The State Labor Relations Board:**



June M. Marshall, Chair



Sherry L. Mason, Member



Edward J. Gutman, Member



Susie C. Jablinske, Member



LeRoy A. Wilkison, Member

### 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).