

State of Maryland  
State Labor Relations Board

In the matter of:	)	
Ambika Thapa	)	
	)	
Petitioner,	)	
	)	SLRB Case No. 2017-U-08
v.	)	
	)	
Welcome Friends	)	
Adult Medical Day Care Center	)	
	)	
Respondent.	)	

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

On February 6, 2017, Petitioner Ambika Thapa filed an unfair labor practice complaint before the State Labor Relations Board (“Board”), pursuant to COMAR 14.32.05. In her complaint, Ms. Thapa alleges that she was paid inappropriately by the Respondent, Welcome Friends Adult Medical Day Care Center (“the Center”) in that the Center paid her from an account that had insufficient funds, which resulted in fees assessed to Ms. Thapa by her own financial institution. Further, Ms. Thapa alleges that the Center has neglected to pay her for seven weeks of work. Finally, Ms. Thapa alleges that the Center lowered her rate of pay from that of her original hire rate without notice.

Ms. Thapa’s complaint is deficient in that she failed to file a certificate of service, attesting that the complaint had been served upon the Respondent, pursuant to COMAR 14.32.02.12. Further, her complaint also fails to demonstrate that Ms. Thapa is an employee of any of the units of State government described in State Personnel & Pension Article §3-102(a). Finally, Ms. Thapa fails to allege any violation as defined in State Personnel & Pensions Article, §3-306.

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

Issue Date: March 28, 2017

**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.*