

State of Maryland
State Labor Relations Board

In the matter of:)	
Arvin Webb, Jr.,)	
)	
Petitioner,)	
)	SLRB Case No. 2018-U-06
v.)	
)	
Uncle Wiggly's)	
Attn: Abby Lee)	
Eden Lopez,)	
)	
Respondents.)	

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

On October 6, 2017, Petitioner Arvin Webb Sr. filed an unfair labor practice complaint, on behalf of Arvin Webb, Jr., before the State Labor Relations Board ("Board"), pursuant to COMAR 14.32.05. The complaint alleges that Respondent, Uncle Wiggly's, has not paid Webb Jr. the wages per hour that the hiring manager indicated would be paid.

This complaint is deficient in that it fails to demonstrate that Webb Jr. is an employee of any of the units of State government described in State Personnel & Pension Article §3-102(a). Further, the complaint fails to allege any violation as defined in State Personnel & Pensions Article, §3-306. In addition, this Complaint is procedurally deficient in that it has been filed by a non-attorney, Webb Sr., on behalf of Webb Jr., and therefore does not meet the requirements of COMAR 14.32.02.07.

Accordingly, this complaint is dismissed due to failure to state a claim upon which relief can be granted, a lack of Board jurisdiction to consider the complaint, and also non-compliance with the attorney representation regulations in COMAR 14.32.02.07.

Issue Date: February 5, 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.*