State of Maryland
State Labor Relations Board

In the matter of: Angel Fonseca Echart, Petitioner, v. Terrapin Metals Recycling LLC, Respondent	)	SLRB ULP Case No. 14-U-01

Board Dismissal for Lack of Jurisdiction & Failure to State a Claim Upon Which Relief May Be Granted

This matter comes before the State Labor Relations Board ("the Board" or "SLRB") as the result of Petitioner, Angel Fonseca Echart filing an unfair labor practice Complaint on September 18, 2013, pursuant to COMAR 14.32.05. In his Complaint, Mr. Echart asserted that his employer, Terrapin Metals Recycling LLC, terminated his employment with an accusation of stealing. Mr. Echart states in his Complaint that his employer was also paying him without reporting his income to IRS and without paying him overtime on weekends.

Petitioner's complaint is deficient in two respects. First, Petitioner fails to state a claim under the State Personnel and Pension Article 3-306, or under corresponding Board regulations at COMAR 14.32.05, upon which relief may be appropriately granted. Second, Petitioner's complaint fails to demonstrate the Respondent is an agency, department or branch of any of the units of state government described in State Personnel & Pension Article 3-101(a)(1) through (4).

Accordingly, based on the discussion above, this complaint is dismissed.

Please note that the State Labor Relations Board's jurisdiction is confined to certain labor claims of individuals employed by the state of Maryland. If there are any further questions regarding the above, please feel free to contact Jerry M. Cutler, Esq., the Assistant Attorney General for the State Labor Relations Board. He may be reached at (410) 576-6962.

Issue Date: October 16, 2013

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 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*.