



The FOP's Counsel, Robert Deso states that the Complainant did contact him on August 8, 1985 and he told her that he had been in contact with Gary Hankins, Chairman of the FOP, who was now making inquiries with the MPD to find out why she was suspended and if the MPD was going to stand by its actions. Deso also stated that he told the Complainant that in his view the MPD was in error by changing her light duty status to leave without pay without giving her a physical examination. Deso also stated that when meeting with the Complainant ended, he assumed the matter was being taking care of and that the Complainant would contact Hankins to see what developed from his inquiries.

Deso further states that the FOP is still willing to represent the Complainant, and that he notified the Complainant's attorney of FOP's continued willingness to represent the Complainant.

The Board has thoroughly reviewed the pleadings and arguments of both parties and finds that the disagreement between the parties may be characterized as a failure of communication, rather than a failure of representation. Accordingly, the Board finds that, in this instance, FOP's conduct does violate the CMPA.

O R D E R

IT IS ORDERED THAT:

The Complaint is dismissed.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD  
December 6, 1985