

**BEFORE THE
MERIT SYSTEM PROTECTION BOARD
FOR
MONTGOMERY COUNTY, MARYLAND**

IN THE MATTER OF

[REDACTED],

APPELLANT,

AND

**MONTGOMERY COUNTY
GOVERNMENT,**

EMPLOYER

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CASE NO. 17-09

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ORDER ACCEPTING SETTLEMENT AGREEMENT

On November 21, 2016, Appellant filed this appeal with the Merit System Protection Board (MSPB or Board) challenging a five-day suspension imposed by the Montgomery County Office of Human Resources.

On October 16, 2017, the parties filed a settlement agreement with the Merit System Protection Board in the above-captioned case. Pursuant to Montgomery County Personnel Regulations (MCPR), § 35-15(b), the MSPB retains jurisdiction to interpret and enforce the terms of the settlement agreement.

As this case involves a disciplinary action, the Board finds that it has jurisdiction to accept the settlement agreement into the record. MCPR § 35-15; MSPB Case No. 17-12 (2017); MSPB Case No. 16-10 (2016); MSPB Case No. 15-24 (2015). *Cf., Pleshaw v. OPM*, 98 M.S.P.R. 478, 480 (2005). The Board has reviewed the settlement agreement carefully and notes that the settlement agreement is lawful on its face. Moreover, both parties are represented by counsel and freely entered into the agreement. *Id.; McGann v. Department of Housing and Urban Development*, 56 M.S.P.R. 17, 18 (1992). Therefore, the Board agrees to accept the settlement agreement into the record.

Accordingly, the Board hereby **ORDERS**:

1. That the settlement agreement filed by the parties in this matter be entered into the Board's records as a settled case;

2. That the appeal in this Case No. 17-09 be and is hereby **DISMISSED** as settled;
3. That within 45 calendar days of this Order the County provide the Board with written certification, copied to Appellant, that it has fully implemented the terms of the settlement agreement;
4. That the Board retain jurisdiction over any disputes that arise concerning the interpretation or enforcement of the settlement agreement.

For the Board
October 17, 2017



Charlotte Crutchfield
Chair