

**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. 18-11

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ORDER REQUESTING DECISION

On October 24, 2017, Appellant filed this direct grievance appeal with the Merit System Protection Board (MSPB or Board). Appellant asserts that on October 10, 2016, she filed a grievance against the Montgomery County Office of Human Resources alleging that her supervisor was bullying, harassing, and humiliating her. The Appeal states that after the grievance was denied on October 20, 2016, she appealed to Step 2, and a hearing was held by a designee of the County's Chief Administrative Officer (CAO) on January 11, 2017. Appellant further alleges that there has not yet been a CAO decision.

Appellant argues that under Montgomery County Personnel Regulation (MCPR) § 34-9(e), the CAO must issue a written decision within 45 days after the Step 2 hearing. *See also* § 34-9(g)(9). Because Appellant has not received a Step 2 grievance decision of the CAO, she wishes to invoke her right to file this appeal with the Board under MCPR § 34-9(a)(3).

However, § 34-9(a)(4) gives the MSPB the option of not processing the appeal, and instead returning it to the CAO for a decision by a date certain. The Board concludes that the processing of Appellant's grievance appeal would benefit from a Step 2 decision by the CAO.

Accordingly, the Board hereby **ORDERS** that MSPB Case No. 18-11 be held in abeyance, and that the CAO provide a written response to the grievance by no later than December 11, 2017.

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Upon receiving the CAO's response, Appellant may either submit a written request that the Board resume processing her appeal or, if satisfied with the CAO's response, withdraw her appeal.

The Board strongly encourages the parties to pursue alternative dispute resolution, and suggests that the mechanisms provided under MCPR § 34-8 may be useful in that endeavor.

For the Board
November 1, 2017



Charlotte Crutchfield
Chair