

**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. 17-25**

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**ORDER ACCEPTING SETTLEMENT AGREEMENT**

Appellant filed the above captioned appeal with the Merit System Protection Board (MSPB or Board) on April 17, 2017, challenging her dismissal from a Child Welfare Services Adoption Unit Supervisor position with the Department of Health and Human Services.

The parties requested and were granted multiple extensions and postponements as they addressed various prehearing issues. After a prehearing conference resolved most prehearing issues a hearing on the merits was scheduled to begin on June 18, 2018. The hearing was postponed at the joint request of the parties and subsequently the parties jointly requested that the appeal be held in abeyance pending the outcome of mediation or alternative dispute resolution (ADR). The Board agreed to hold the appeal in abeyance pending notification from the parties that the case had been settled or that ADR efforts had been exhausted without success. Having seen no progress, on August 6, 2019, the Board lifted the stay and scheduled the merits hearing to begin on March 17, 2020. On March 16, 2020, the parties notified the Board that they had agreed to settle and requested that the Board postpone the hearing. The Board granted the joint request to postpone the hearing pending written confirmation of the settlement. On May 6, 2020, the parties were advised that if a final settlement had not been reached and filed with the Board by May 18 the Board would set the case in for a hearing. On May 20 the Board scheduled the merits hearing to begin on June 22, 2020.

On June 19, 2020, the parties filed a fully executed settlement agreement with the Board resolving the appeal. Pursuant to Montgomery County Personnel Regulations (MCPR), § 35-15(b), the MSPB retains jurisdiction to interpret and enforce the terms of the settlement agreement.

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, that Appellant is represented by counsel, and that the agreement was freely entered into by the parties. *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;
2. That within thirty (30) working 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, and that the Board will be advised of any unavoidable delays;
3. That the appeal in Case No. 17-25 be and hereby is **DISMISSED** as settled, with prejudice;
4. That the Board will retain jurisdiction over any disputes that arise concerning the interpretation or enforcement of the settlement agreement.

For the Board  
June 22, 2020



Harriet E. Davidson  
Chair