

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

IN THE MATTER OF

**15 DEPARTMENT OF
GENERAL SERVICE
EMPLOYEES,**

APPELLANTS,

AND

**MONTGOMERY COUNTY
GOVERNMENT,**

EMPLOYER

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CASE No. 21-109

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ORDER ACCEPTING SETTLEMENT AGREEMENT

Appellants in the above captioned consolidated grievance appeals are employees of the Montgomery County Department of General Services (DGS). Their appeals to the Merit System Protection Board (Board or MSPB) challenge decisions of the County’s Chief Administrative Officer denying them COVID-19 differential pay.¹

On April 28, 2021, the parties notified the Board that they had reached a tentative settlement in the above captioned matter. On May 11, 2021, the parties filed a fully executed settlement agreement with the Board resolving the appeal.²

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). 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 has reviewed the settlement agreement carefully and notes that the settlement agreement is lawful on its face and that the agreement was freely entered into by the parties. MSPB

¹ By order dated March 22, 2021, the Board consolidated MSPB Case Nos. 21-06, 21-07, 21-08, 21-37, 21-46, 21-55, 21-73, 21-78, 21-79, 21-81, 21-82, 21-85, 21-90, 21-107 and 21-108. The consolidated case was docketed and ordered referenced in all future pleadings as MSPB Case No. 21-109. This Order acts to dismiss all the consolidated appeals.

² The signatures of the appellants were provided in counterparts.

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Case No. 19-18 (2019); *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 45 calendar days of this Order the County shall provide the Board with written certification, copied to appellants, that it has fully implemented the terms of the settlement agreement with respect to all appellants;
3. That the appeals consolidated in MSPB Case No. 21-109 be and hereby are **DISMISSED** as settled;
4. That the Board will retain jurisdiction over any disputes that arise concerning the interpretation or enforcement of the settlement agreement.

For the Board

May 13, 2021

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Harriet E. Davidson
Chair