

**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 NOS. 23-11
23-14
24-02**

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ORDER ACCEPTING SETTLEMENT AGREEMENT

On April 5, 2023, Appellant, an Administrative Specialist II with the Montgomery County Department of Recreation, filed an appeal with the Merit System Protection Board (Board or MSPB) challenging a five (5) day disciplinary suspension. MSPB Case No. 23-11. On June 15, 2023, Appellant filed an appeal challenging a dismissal from County employment. MSPB Case No. 23-14. On July 6, 2023, Appellant filed an appeal challenging the denial of a transfer to a new position. MSPB Case No. 24-02.

A prehearing conference in MSPB Case No. 23-11 was held on July 19, 2023, where the Board heard argument by the parties in favor of County’s Motion to Consolidate with MSPB Case No. 23-14. By order dated August 3, 2023, the Board granted the motion to consolidate MSPB Case Nos. 23-11 and 23-14. On August 30, 2023, the parties notified the Board that an agreement had been reached to settle all three appeals. On October 2, 2023, the parties filed a fully executed settlement agreement resolving MSPB Case Nos. 23-11, 23-14, and 24-02.

The Board finds that it has jurisdiction over the appeals and may accept the settlement agreement into the record. Montgomery County Personnel Regulations (MCPR), § 35-15; MSPB Case No. 22-05 (2022). Pursuant to 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, that Appellant is *pro se*, and that the agreement was voluntarily entered into by the parties. MSPB Case No. 21-36 (2021). Therefore, the Board agrees to accept the settlement agreement into the record.

Accordingly, the Board hereby **ORDERS** that:

1. The settlement agreement filed by the parties in this matter be entered into the Board's records;
2. Within 30 calendar days of this Order the County provide the Board with written certification, copied to Appellant, that it has:
 - a. [REDACTED];
 - b. [REDACTED];
 - c. in all respects fully implemented the terms of the settlement agreement;
3. The appeals in MSPB Case Nos. 23-11, 23-14, and 24-02 be and hereby are **DISMISSED** as settled; and
4. The Board will retain jurisdiction over any disputes that arise concerning the interpretation or enforcement of the settlement agreement.

For the Board
October 10, 2023

[REDACTED]

Harriet E. Davidson
Chair