

**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. 24-03

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ORDER ACCEPTING SETTLEMENT AGREEMENT

On July 25, 2023, Appellant, a Lieutenant with the Montgomery County Department of Correction and Rehabilitation (DOCR), filed an appeal with the Merit System Protection Board (Board or MSPB) challenging a two (2) day disciplinary suspension.

On August 24, 2023, the County notified the Board that a settlement agreement had been reached. On September 29, 2023, the parties filed a fully executed settlement agreement.

The Board finds that it has jurisdiction over the appeal 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:

Order Accepting Settlement Agreement

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- a. reduced the discipline from a two (2) day suspension to a written reprimand and removed from County records and destroyed all copies of the original Notice of Disciplinary Action (NODA) for a suspension;
 - b. issued and placed in County records an amended NODA reflecting a written reprimand dated July 10, 2023, that will be removed from County personnel and departmental files on July 10, 2024;
 - c. provided Appellant with full backpay;
 - d. in all respects fully implemented the terms of the settlement agreement;
3. The appeal in MSPB Case No. 24-03 be and hereby is **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