

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

IN THE MATTER OF	*	
	*	
15 SHERIFF'S OFFICE	*	
EMPLOYEES,	*	
APPELLANTS,	*	Case No. 21-111
	*	
AND	*	
	*	
MONTGOMERY COUNTY	*	
GOVERNMENT,	*	
	*	
EMPLOYER	*	
	*	

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ORDER ACCEPTING SETTLEMENT AGREEMENT

Appellants in the above listed grievance appeal are employees of the Montgomery County Sheriff's Office (MCSO). They have filed appeals with the Merit System Protection Board (Board or MSPB) challenging decisions of the County's Chief Administrative Officer denying them COVID-19 differential pay. On March 22, 2021, the Board consolidated MSPB Case Nos. 21-91 through 21-103, 21-105, and 21-106. The consolidated case was docketed and referenced in all subsequent pleadings as MSPB Case No. 21-111.

On July 6, 2021, the parties notified the Board that they had reached a settlement in the above captioned matter and requested that the Board stay further proceedings pending approval of funding for the agreement by the Montgomery County Council. The Board granted the request and entered a Stay Order on July 6, 2021. On July 21, 2021, the parties filed a fully executed settlement agreement with the Board. On December 14, 2021, the Montgomery County Council unanimously approved a supplemental appropriation funding 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). 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, that Appellants are represented by counsel, and that the agreement was freely entered into by the parties. MSPB 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 30 calendar days of this Order the County provide the Board with written certification, copied to Appellants, that it has fully implemented the terms of the settlement agreement;
3. That the appeals consolidated in MSPB Case No. 21-111 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
December 15, 2021

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Harriet E. Davidson
Chair