

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

IN THE MATTER OF

**[REDACTED] &
[REDACTED]**

APELLANTS,

AND

**MONTGOMERY COUNTY
GOVERNMENT,**

EMPLOYER

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CASE NO. 25-07

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ORDER OF DISMISSAL

On December 4, 2024, Appellants filed this direct grievance appeal with the Merit System Protection Board (MSPB or Board). Appellants' grievance concerns the failure of the Office of Human Resources to apply the 25-year longevity awards.

On January 8, 2025, the Board issued an Order Requesting Decision. Pursuant to MCPR § 34-9(a)(4), the Board ordered that MSPB Case No. 25-07 be held in abeyance, that a Step 2 meeting be conducted by the CAO or his designee in accordance with the grievance regulations on or before February 7, 2025, and that the CAO provide a response to the grievance no later than February 27, 2025. The Board's Order Requesting Decision stated that upon receiving the CAO's response Appellants may either submit a written request that the Board resume processing their appeal or, if satisfied with the CAO's response, withdraw their appeal. The Board's Order Requesting Decision also encouraged the parties to pursue alternative dispute resolution and engage in good faith settlement negotiations.

On February 28, 2025, Appellant H [REDACTED] emailed the Board and requested that their appeal be withdrawn due to time considerations and "undue stress." Appellant T [REDACTED] concurred with the request in an email dated March 3, 2025.¹


¹ Although the Board is dismissing this matter per the Appellants' request, the Board encourages the Office of Human Resources to investigate the claims Appellant H [REDACTED] listed in her February 28, 2025, email, and to correct any equitable disparities to ensure the County is properly applying merit system principles to all merit system employees.

Pursuant to MCPR, §35-7(d), the Board may dismiss an appeal if the appeal becomes moot. The Board has long taken the position that the withdrawal of an appeal renders that appeal moot. MSPB Case No. 21-02 (2020); MSPB Case No. 17-18 (2017).

Accordingly, it is hereby **ORDERED** that the appeal in Case No. 25-07 be and hereby is **DISMISSED**.

If any party disagrees with the decision of the Merit System Protection Board, pursuant to Montgomery County Code, §33-15, *Judicial review and enforcement*, and MCPR, §35-18, *Appeals to court of MSPB decisions*, within 30 days of this Order a petition for judicial review may be filed with the Circuit Court for Montgomery County, Maryland in the manner prescribed under the Maryland Rules, Chapter 200, Rule 7-202.

For the Board
March 19, 2025


Sonya E. Chiles
Chair