

Notice: This decision is subject to formal revision before publication in the *District of Columbia Register*. Parties are requested to notify the Office Manager of any formal errors in order that corrections may be made prior to publication. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

**THE DISTRICT OF COLUMBIA**

**BEFORE**

**THE OFFICE OF EMPLOYEE APPEALS**

_____	)	
In the Matter of:	)	
	)	
ROBIN WYATT	)	
Employee	)	OEA Matter No. 1601-0145-12
	)	
v.	)	Date of Issuance: December 12, 2012
	)	
OFFICE OF STATE SUPERINTENDENT	)	
OF EDUCATION	)	Lois Hochhauser, Esq.
Agency	)	Administrative Judge
_____	)	

Hillary Hoffman-Peak, Esq., Agency Representative  
Robin Wyatt, Employee, *Pro se*

**INITIAL DECISION**

INTRODUCTION AND PROCEDURAL BACKGROUND

Robin Wyatt, Employee herein, filed a petition with the Office of Employee Appeals (OEA) on July 12, 2012, appealing the decision of the Office of the State Superintendent of Education (OSSE), Agency herein, to remove her from her position as a Bus Attendant, effective July 3, 2012. The matter was assigned to me on December 7, 2012.

The file contained two submissions, each signed by Employee and Agency Representative, documenting that the matter has been settled and that the petition should be dismissed. The first, entitled "Settlement Agreement" stated in pertinent part, that "this settlement resolves any and all issues associated with this appeal", and that "[Employee] agrees to withdraw her Petition for Appeal.", The second document, entitled "Withdrawal of Appeal" stated in pertinent part that the parties "have reached a settlement in this matter [and Employee] withdraws her appeal and requests that the Clerk dismiss this case with prejudice". The record is hereby closed.

JURISDICTION

This Office has jurisdiction pursuant to D.C. Office Code § 1-606.03 (2001).

ISSUE

Should this matter be dismissed?

FINDINGS OF FACT, ANALYSIS AND CONCLUSIONS

D.C. Official Code §1-606.06(b) (2001) states in pertinent part that:

If the parties agree to a settlement without a decision on the merits of the case, a settlement agreement, prepared and signed by all parties, shall constitute the final and binding resolution of the appeal, and the [Administrative Judge] shall dismiss the appeal with prejudice.

The parties have submitted an executed settlement agreement as well as a document in which Employee withdraws her petition for appeal and requests that the appeal be dismissed. The Administrative Judge commends the parties on their successful resolution of this matter. She concludes that the petition should be dismissed, based on the settlement agreement executed by the parties as well as Employee's request that her petition for appeal be dismissed.

ORDER

Based on these findings and conclusions, and consistent with this analysis, it is hereby:

ORDERED: The petition for appeal is dismissed.

FOR THE OFFICE:

LOIS HOCHHAUSER, Esq.  
Administrative Judge