

Notice: This decision may be revised before publication in the *District of Columbia Register*. Parties should promptly notify the Office of any formal errors so that this Office can correct them before publishing this decision. This notice is not intended to provide an opportunity for substantive challenge to the decision.

THE DISTRICT OF COLUMBIA  
BEFORE  
THE OFFICE OF EMPLOYEE APPEALS

_____	)	
In the Matter of:	)	
	)	
JOHN B. BRUCE	)	
Employee	)	
	)	OEA Matter No. 1601-0177-97
v.	)	
	)	Date of Issuance: September 28, 2001
DEPT. OF HUMAN SERVICES	)	
Agency	)	
	)	
_____	)	

OPINION AND ORDER  
ON  
PETITION FOR REVIEW

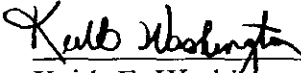
This matter having come before the Board upon Agency's Petition for Review of an Initial Decision issued September 7, 2000 , and the Board having carefully reviewed the entire record and the Initial Decision, the Board concludes that the Administrative Judge based her decision on substantial evidence in the record and correctly stated the applicable law. Agency argues that the Initial Decision establishes a "reasonableness" standard for evaluating whether

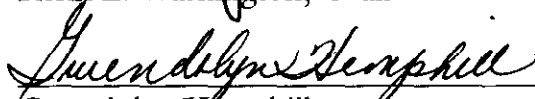
an investigation should be completed within a period of time outside the 45-day period. This argument does not aid Agency's case, but more importantly, the Initial Decision does not craft a "reasonableness" exception to the 45-day rule. The Initial Decision simply notes that Agency does not "argue any circumstances under which the length of time to investigate the allegations was reasonable." This is an observation of fact and not a statement of law. Accordingly, the Initial Decision is hereby adopted as the opinion of the Board is hereby **AFFIRMED**.

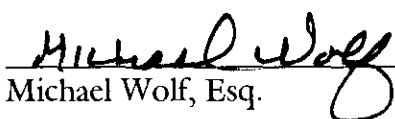
ORDER

Accordingly, it is hereby ORDERED that  
Agency's Petition for Review is DENIED.

FOR THE BOARD:

  
\_\_\_\_\_  
Keith E. Washington, Chair

  
\_\_\_\_\_  
Gwendolyn Hemphill

  
\_\_\_\_\_  
Michael Wolf, Esq.

The initial decision in this matter shall become a final decision of the Office of Employee Appeals 5 days after the issuance of this order. An appeal from a final decision of the Office of Employee Appeals may be taken to the Superior Court of the District of Columbia within 30 days after formal notice of the decision or order sought to be reviewed.