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THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:)	
EMPLOYEE ¹)	OEA Matter No. 1601-0018-24
Employee)	
v.)	Date of Issuance: October 16, 2024
DISTRICT OF COLUMBIA METROPOLITAN)	Lois Hochhauser, Esq.
POLICE DEPARTMENT)	Administrative Judge
Agency)	
Daniel McCartin, Esq., Employee Representative		
Jacob Thole, Esq., Agency Representative		

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On January 4, 2024, Employee filed a petition with the District of Columbia Office of Employee Appeals (“OEA”), appealing the decision of the District of Columbia Metropolitan Police Department (“Agency”) to suspend him without pay for 25 days. OEA Executive Director Sheila Barfield notified Chief of Police Pamela Smith of the appeal on the same day, advising her also of the filing deadline of February 3, 2024. Agency filed its Answer on January 16, 2024. This Administrative Judge (“AJ”) was appointed to hear the appeal on or about January 26, 2024.

On February 2, 2024, the AJ issued an Order in which she directed Employee to correct or amend several responses in his Petition for Appeal (“PFA”). Pursuant to the March 25, 2024 Order, the prehearing conference (“PHC”) took place on April 12, 2024. The hearing was scheduled for August 8, 2024 by Order dated April 25, 2024. In the Order issued on July 19, 2024, the AJ granted Agency’s unopposed request for a continuance, and rescheduled the hearing for August 29, 2024. The parties advised the AJ by email sent on August 19, 2024, that the matter was settled but they could not file the necessary documents until all conditions were met. They requested cancellation of the August 29th proceeding. On August 20, 2024, the AJ issued an Order granting the request, and directing the parties to file for dismissal or advise the AJ when they anticipated they would be able to do so, by September 16, 2024. The parties kept the AJ apprised of their progress. On September 24, 2025, they filed a Joint Motion to Dismiss. Then record was then closed.

JURISDICTION

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

¹ This Office does not identify employees filing Petitions for Appeal by name in the published decisions on its website.

ISSUE

Should the petition be dismissed?

FINDINGS OF FACT, ANALYSIS AND CONCLUSIONS

This Office's jurisdiction was initially established by the District of Columbia Comprehensive Merit Personnel Act of 1978 ("CMPA") and then amended by the Omnibus Personnel Reform Amendment Act of 1998, D.C. Law 12-124 ("OPRAA"). Both the CMPA and OPRAA confer jurisdiction on this Office to hear appeals of adverse actions, including suspension of at least ten days. *See also*, OEA Rule 604.1. Therefore, this Office had jurisdiction of this matter.

In the Joint Motion to Dismiss, filed on September 25, 2024, the parties confirmed that they had "executed a settlement agreement resolving this matter" and moved for the dismissal of this appeal. Pursuant to OEA Rule 622.2(h), the AJ has authority to dismiss a matter based on a settlement agreement reached by the parties. The AJ finds good cause has been shown why the motion should be granted.²

ORDER

The Petition for Appeal is dismissed.



Lois Hochhauser, Esq.
Administrative Judge

FOR THE OFFICE:

² The parties are commended on the successful resolution of this matter.