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**THE DISTRICT OF COLUMBIA**

**BEFORE**

**THE OFFICE OF EMPLOYEE APPEALS**

_____	)	
In the Matter of:	)	
	)	OEA Matter No.: 1601-0170-12
ROMAINE DRAYTON,	)	
Employee	)	
	)	Date of Issuance: January 22, 2013
v.	)	
	)	
OFFICE OF THE STATE SUPERINTENDENT	)	
OF EDUCATION,	)	
Agency	)	
_____	)	Arien P. Cannon, Esq.
	)	Administrative Judge
Romaine Drayton, Employee, <i>Pro se</i>		
Hillary Hoffman-Peak, Esq., Agency Representative		

**INITIAL DECISION**

Employee filed a Petition for Appeal with the Office of Employee Appeals (“OEA”) on July 27, 2012, challenging the Office of the State Superintendent of Education’s (“Agency”) decision to remove her from her position as a Bus Attendant. The effective date of Employee’s termination was June 29, 2012.<sup>1</sup> In accordance with D.C. Official Code § 1-606.06(a), a mandatory mediation was held on January 10, 2013. Subsequently, a Withdrawal of Appeal was submitted to this Office on January 17, 2013. The withdrawal indicates that the parties have reached a settlement in this matter. This matter was assigned to me on January 18, 2013. The record is now closed.

**JURISDICTION**

Jurisdiction of this Office is established in this matter pursuant to D.C. Official Code § 1-606.03 (2001).

**ISSUE**

Whether Employee’s Petition for Appeal should be dismissed based on her voluntary withdrawal as a result of settlement negotiations.

<sup>1</sup> See Employee’s Petition for Appeal (July 27, 2012).

### **ANALYSIS AND CONCLUSION**

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.

On January 17, 2013, a Withdrawal of Appeal, signed by both parties, was submitted to this Office stating that the parties have reached a settlement and that Employee withdraws her appeal. Accordingly, Employee's Petition for Appeal is hereby **DISMISSED**.

### **ORDER**

It is hereby **ORDERED** that Employee's Petition for Appeal is **DISMISSED**.

FOR THE OFFICE:

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Arien P. Cannon, Esq.  
Administrative Judge