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THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:)	
)	
EMPLOYEE,)	OEA Matter No. 1601-0015-23
)	
v.)	Date of Issuance: October 25, 2023
)	
DC CHILD & FAMILY SERVICES)	JOSEPH E. LIM, ESQ.
<u>Agency</u>)	Senior Administrative Judge

Laura Nagel, Esq., Employee Representative		
Rahsaan Dickerson, Esq., Agency Representative		

INITIAL DECISION

PROCEDURAL HISTORY

Employee filed a petition with the Office of Employee Appeals (“OEA”) on December 9, 2022, appealing the decision of the D.C. Child and Family Services (“Agency”) to remove him from his position as a Social Worker effective November 11, 2022, for refusing a mandatory drug test and for misrepresentation. In response to OEA’s December 12, 2022, request, Agency submitted its answer to the appeal on January 11, 2023. The matter was assigned to me on January 11, 2023. I scheduled an April 5, 2023, Prehearing Conference which was continued by a consent motion from the parties to enable Employee to obtain new counsel. The Prehearing Conference was rescheduled to June 2, 2023. However, the parties asked for a stay of the proceedings while they continued settlement discussions. On October 20, 2023, Employee emailed a request for his appeal to be withdrawn and dismissed with prejudice, indicating that the parties have settled the matter. The record is closed.

JURISDICTION

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

ISSUE

Should the petition be dismissed?

FINDINGS OF FACT, ANALYSIS AND CONCLUSIONS

Since Employee has voluntarily withdrawn his appeal, Employee's petition for appeal is dismissed.

ORDER

It is hereby ORDERED that this matter is DISMISSED with prejudice.

FOR THE OFFICE:

/s/ Joseph Lim
Joseph E. Lim, Esq.
Senior Administrative Judge