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DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
MARIE ISME,)	OEA Matter No. 1601-0031-13
Employee)	
)	Date of Issuance: June 20, 2014
v.)	
)	
OFFICE OF THE STATE)	STEPHANIE N. HARRIS, Esq.
SUPERINTENDENT OF EDUCATION,)	Administrative Judge
Agency)	
)	
_____)	
Thomas Giunta, Esq., Employee Representative)	
Hillary Hoffman-Peak, Esq., Agency Representative)	

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On December 11, 2012, Marie Isme (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA”) contesting the Office of the State Superintendent of Education’s (“OSSE” or “Agency”) decision to terminate her from her position as a Motor Vehicle Operator. On January 11, 2013, Agency submitted its Answer in response to Employee’s Petition for Appeal.

I was assigned this matter on January 21, 2014. On January 23, 2014, the undersigned issued an Order directing the parties to appear at a Prehearing Status Conference on March 24, 2014. On March 18, 2014, the undersigned issued an Order granting Agency’s request to reschedule the Preheating Status Conference. The parties were directed to appear at a Prehearing Status Conference on April 15, 2014 (“April 15th Prehearing Status Conference”).

During the April 15th Prehearing Status Conference, the parties requested to participate in mediation. Accordingly, a mediation session was held in this matter on June 10, 2014. Subsequently, on June 17, 2014, the parties submitted documentation relaying that a settlement had been reached and Employee voluntarily withdrew her Petition for Appeal.¹ The record is

¹ See Withdrawal of Appeal; OSSE Settlement Agreement (June 17, 2014).

now closed.

JURISDICTION

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

ISSUE

Whether this matter should be dismissed.

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.

The parties have submitted an executed settlement agreement, including a Statement of Withdrawal from Employee. Therefore, Employee's Petition for Appeal is dismissed.

ORDER

It is hereby **ORDERED** that this matter be **DISMISSED**.

FOR THE OFFICE:

STEPHANIE N. HARRIS, Esq.
Administrative Judge