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**THE DISTRICT OF COLUMBIA**

**BEFORE**

**THE OFFICE OF EMPLOYEE APPEALS**

_____	)	
In the Matter of:	)	
	)	OEA Matter No.: 1601-0096-16
SALIM FRANKLIN,	)	
Employee	)	
	)	Date of Issuance: February 7, 2017
v.	)	
	)	
DISTRICT OF COLUMBIA DEPARTMENT	)	
OF PARKS AND RECREATION,	)	
Agency	)	
_____	)	
Betty Swammy, Employee Representative	)	Arien P. Cannon, Esq.
Leah N. Brown, Esq., Agency Representative	)	Administrative Judge

**INITIAL DECISION**

**INTRODUCTION AND PROCEDURAL BACKGROUND**

Salim Franklin (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA”) on September 16, 2016, challenging the Department of Parks and Recreation’s (“Agency”) decision to remove him from his position as a Recreation Specialist. Agency filed its Answer on October 19, 2016. A mediation was held in this matter on December 14, 2016, which resulted in a settlement agreement between the parties. Employee submitted a letter on January 18, 2017, indicating that he is withdrawing his appeal before this Office.

**ISSUE**

Whether Employee’s Petition for Appeal should be dismissed as a result of a Settlement Agreement.

**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.

Here, Employee submitted a letter of withdrawing his appeal on January 18, 2017. Accordingly, Employee's Petition for Appeal shall be 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