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THE DISTRICT OF COLUMBIA  
BEFORE  
THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:	)	
	)	
CORNELIA FOXWORTH	)	
Employee	)	OEA Matter No. 1601-0034-15
	)	
v.	)	Date of Issuance: June 10, 2015
	)	
DISTRICT OF COLUMBIA PUBLIC LIBRARY	)	Lois Hochhauser, Esq.
Agency	)	Administrative Judge
	)	

Cornelia Foxworth, Employee, *Pro Se*  
Grace Perry-Gaiter, Esq., Agency Representative

**INITIAL DECISION**

INTRODUCTION AND PROCEDURAL BACKGROUND

Cornelia Foxworth, Employee, filed a petition with the Office of Employee Appeals (OEA) on January 22, 2014; appealing the decision of the District of Columbia Public Library, Agency, to remove her from her position as Library Technician, effective January 15, 2015. The matter was assigned to me on June 3, 2015.

Upon review of the file, the Administrative Judge determined that the matter had been settled by the parties as a result of mediation. The file contained a Settlement Agreement, signed by Employee and Agency Director of Business Services on June 1, 2015 and June 2, 2015, respectively. The Agreement states that by executing the document, Employee agreed to the withdrawal of the appeal. It also states that each party had the opportunity to consult with counsel, read and understood the Agreement, and signed the Agreement “knowingly and voluntarily.” The record is hereby closed.

JURISDICTION

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

ISSUE

Should this matter be dismissed?

FINDINGS OF FACT, ANALYSIS AND CONCLUSIONS

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 submitted a Settlement Agreement signed by Employee and Agency Director of Business Services. The Agreement states that by signing the Agreement, Employee agrees that her appeal will be dismissed. It further provides that Employee reviewed and understood the terms of the Agreement, that she had the opportunity to consult counsel, and that she signed the Agreement voluntarily and knowingly. Based on the successful resolution of this matter, which includes Employee's consent to the dismissal of this appeal, the Administrative Judge concludes that the petition should be dismissed. The Administrative Judge commends the parties on their successful resolution of this matter.

ORDER

Based on these findings and conclusions, and consistent with this analysis, it is hereby:

ORDERED: The petition for appeal is dismissed.

FOR THE OFFICE:

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Lois Hochhauser, Esq.  
Administrative Judge

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