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THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
CLIFTON TAYLOR,)	
Employee)	OEA Matter No. J-0075-19C20
)	
v.)	Date of Issuance: October 29, 2020
)	
DISTRICT OF COLUMBIA)	
PUBLIC SCHOOLS,)	MONICA DOHNJI, ESQ.
Agency)	Senior Administrative Judge
_____)	
Clifton Taylor, Employee, <i>Pro Se</i>		
Nicole Dillard, Esq., Agency's Representative		

ADDENDUM DECISION ON COMPLIANCE¹

INTRODUCTION AND PROCEDURAL HISTORY

On August 12, 2019, Clifton Taylor (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA”) contesting District of Columbia Public Schools’ (“Agency”) decision to separate him from his position as a Behavioral Technician pursuant to a Reduction-in-force (“RIF”). Employee was RIF’d effective June 21, 2019. On September 16, 2019, Agency filed its Answer to Employee’s Petition for Appeal and a Motion to Dismiss. Upon review of Employee’s response to my Order on jurisdiction, on November 4, 2019, I issued an Order finding that OEA had Jurisdiction over this matter. In the same Order, I required the parties to submit written briefs on the issue of whether Agency conducted the instant RIF in accordance with applicable District laws, statues, and regulations. Both parties complied with the Order. After considering the arguments therein, I determined that an Evidentiary Hearing was not warranted.

On February 19, 2020, I issued an Initial Decision (“ID”) in this matter reversing Agency’s decision to separate Employee pursuant to a RIF. Agency did not appeal the February 19, 2020, ID. On May 4, 2020, Employee emailed Agency, copying the undersigned, noting that

¹ This decision was issued during the District of Columbia's COVID-19 State of Emergency.

he had not received his back pay and his leave had not been restored. He also stated in the email that he had found a job with Agency prior to the issuance of the February 19, 2020, ID. Following several email communications between the undersigned and the parties, the undersigned was notified by Employee in an email dated September 15, 2020, that he had received his back pay. He however noted that his sick and annual leave had not been restored. Upon further inquiry by the undersigned, Agency's representative informed Employee and the undersigned via email dated September 29, 2020, that Employee's restored leave will be reflected on his October 9, 2020, paystub. Consequently, on October 21, 2020, the undersigned emailed the parties, inquiring if Employee's leave was restored on his October 9, 2020, paystub. On October 22, 2020, Employee responded to the undersigned's email noting that "...as of Oct[sic] 9 I have received my time back." The record is now closed.

JURISDICTION

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

ISSUE

Whether Employee's May 4, 2020, request for compliance should be dismissed.

ANALYSIS AND CONCLUSIONS OF LAW

In the instant matter, since Employee is currently employed with Agency, he has received his backpay, and his leave restored, I find that Agency has fully complied with the February 19, 2020, ID. Consequently, I further find that Employee's May 4, 2020, request for compliance is DISMISSED as resolved.

ORDER

It is hereby ORDERED that the May 4, 2020 request for compliance in this matter is DISMISSED.

FOR THE OFFICE:

MONICA DOHNJI, Esq.
Senior Administrative Judge