

Notice: This decision may be formally revised before it is published in the *District of Columbia Register* and on the Office of Employee Appeals’ website. Parties should promptly notify the Office Manager of any formal errors so that this Office can correct them before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

**THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS**

In the Matter of:)	
)	OEA Matter No.: 2401-0064-22
EMPLOYEE ¹ ,)	
Employee)	
)	Date of Issuance: February 8, 2023
v.)	
)	
DISTRICT OF COLUMBIA)	
PUBLIC SCHOOLS,)	MICHELLE R. HARRIS, ESQ.
Agency)	Senior Administrative Judge
)	
)	

Employee, *Pro Se*
Nicole C. Dillard, Esq., Agency Representative

INITIAL DECISION

INTRODUCTION AND PROCEDURAL HISTORY

On July 15, 2022, Employee filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the District of Columbia Public Schools’ (“Agency” or “DCPS”) decision to terminate her from service through a Reduction-In-Force (“RIF”), effective June 27, 2022. OEA sent a letter to Agency on July 15, 2022, requiring Agency submit its Answer by August 14, 2022. Agency filed its Answer on August 9, 2022. This matter was assigned to the undersigned Senior Administrative Judge (“AJ”) on September 2, 2022. On September 9, 2022, I issued an Order scheduling a Prehearing Conference in this matter for October 12, 2022. Prehearing Statements were due on October 5, 2022. On October 5, 2022, Agency filed its Prehearing Statement and noted therein that they were requesting mediation of this matter. Both parties appeared for the Prehearing Conference on October 12, 2022. During that conference, Agency renewed its request to mediate the matter and stated that it intended to reinstate Employee. Employee agreed to mediation. Following the conference, I referred this matter for mediation. A Mediation/Settlement Conference was held on November 2, 2022.

On November 30, 2022, I issued an Order scheduling a Status Conference for December 14, 2022, to ascertain the status of the parties’ settlement negotiations. During the Status Conference, Employee asserted that she was willing to accept Agency’s offer and would withdraw her appeal

¹ Employee’s name was removed from this decision for the purposes of publication on the Office of Employee Appeals’ website.

once she had been reinstated. On February 3, 2023, Employee filed a letter noting that she was withdrawing her appeal. 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 this appeal should be dismissed based upon Employee's voluntary withdrawal.

FINDINGS OF FACT, ANALYSIS AND CONCLUSIONS OF LAW

Following mediation and settlement of this matter, Employee filed a notice on February 3, 2023, citing that "I am writing this letter to inform you that I am withdrawing my appeal."² Accordingly, I find that since Employee has filed a notice to voluntarily withdraw her appeal, Employee's Petition should be dismissed.

ORDER

It is hereby **ORDERED** that the Petition for Appeal in this matter is **DISMISSED**.

FOR THE OFFICE:

/s/Michelle R. Harris
MICHELLE R. HARRIS, Esq.
Senior Administrative Judge

² Letter from Employee (February 3, 2023).