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**THE DISTRICT OF COLUMBIA**

**BEFORE**

**THE OFFICE OF EMPLOYEE APPEALS**

In the Matter of:	)	
	)	
CHARLOTTE WASHINGTON,	)	
Employee	)	OEA Matter No. 1601-0111-05
	)	
v.	)	Date of Issuance: April 14, 2006
	)	
DISTRICT OF COLUMBIA	)	
DEPARTMENT OF	)	
PUBLIC WORKS,	)	
Agency	)	ERIC T. ROBINSON, Esq.
	)	Administrative Judge
	)	

Clifford Lowery, Employee Representative  
Christine Davis, Esq., Agency Representative

**INITIAL DECISION**

INTRODUCTION, PROCEDURAL HISTORY, AND STATEMENT OF FACTS

On July 15, 2005, Charlotte Washington (hereinafter “the Employee”) filed a Petition for Appeal with the Office of Employee Appeals (hereinafter “the Office”) contesting the District of Columbia Department of Public Works action of terminating her employment. I was assigned this matter on October 24, 2005. On December 1, 2005, a Prehearing Conference was held. I convened Status Conferences on December 20, 2005 and February 28, 2006. After the final Status Conference, I decided that there existed a genuine factual dispute which necessitated an Evidentiary Hearing in this matter. During this final Status Conference, I asked both parties whether or not they wanted to pursue possible settlement of this matter under the auspices of this Office’s Mediation and Conciliation Program. Both parties agreed. I issued an Order Convening Hearing which required that an Evidentiary Hearing in this matter be held on April 18, 2006. I then referred this matter to this Office’s Mediation and Conciliation Program.

On April 13, 2006, I was informed by Administrative Judge Wanda Jackson – the mediator assigned to this matter, that the mediation was ultimately successful and that the

parties had signed a settlement agreement that resolved the underlying issues in this matter. On April 14, 2006, in accordance with one of the provisions of the aforementioned settlement agreement, the Employee submitted a motion to withdraw her petition for appeal. The record is now closed.

ISSUE

Whether this case may be dismissed.

JURISDICTION

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

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 a fully executed settlement agreement that resolves the underlying issues in this matter. This meets the requirements of the above provision of the D.C. Code and constitutes the final and binding resolution of the appeal. Therefore, I conclude that this matter should be dismissed.

ORDER

It is hereby ORDERED that this matter be DISMISSED with prejudice.

**FOR THE OFFICE:**

  
Eric T. Robinson, Esq.  
Administrative Judge