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

In the Matter of:	)	
	)	OEA Matter No.: 2401-0058-17C19
GENNIFER CUNNINGHAM,	)	
Employee	)	
	)	Date of Issuance: October 8, 2019
v.	)	
	)	
DISTRICT OF COLUMBIA	)	
PUBLIC SCHOOLS,	)	MONICA DOHNJI, ESQ.
Agency	)	Senior Administrative Judge
	)	

F. Douglas Harnett, Esq., Employee's Representative  
Lynette Collins, Esq., Agency Representative

**ADDENDUM DECISION ON COMPLIANCE**

**INTRODUCTION AND PROCEDURAL HISTORY**

On June 16, 2017, Gennifer Cunningham ("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") action of abolishing her position through a Reduction-in-Force ("RIF"), effective August 4, 2017. Employee was an Administrative Aide at Woodrow Wilson Senior High School at the time her position was abolished. On July 19, 2017, Agency filed its Answer to Employee's Petition for Appeal.

On June 5, 2018, I issued an Initial Decision ("ID"), reversing Agency's decision to terminate Employee. Agency filed a Petition for Review with the OEA Board and on December 18, 2018, the OEA Board issued an Opinion and Order denying Agency's Petition for Review. Thereafter, on June 14, 2019, Employee filed her Petition for Enforcement. On June 17, 2019, Agency filed its Response to Employee's Petition for Enforcement. On June 18, 2019, the undersigned Senior Administrative Judge ("SAJ") issued an order scheduling a Status Conference for July 15, 2019. Employee filed a Motion for Leave to File a Reply to Agency's Response to Petition for Enforcement. Both parties were present for the July 15, 2019, Status Conference. Following the Status Conference, the parties were required to update the undersigned SAJ periodically, on the status of this matter. On September 30, 2019, Employee

filed a Praecept of Compliance noting that "... the parties have resolved the enforcement issues dating back to February 2019, as raised in the Enforcement Petition filed on June 18, 2019... [Employee] has been placed in a permanent position, her back pay amounts have been paid, and all issues with her salary and enrollment in the DCPS personnel system have been resolved. *The Agency is now in full compliance with the Initial Decision in this matter* (emphasis added)."<sup>1</sup> 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 Petition for Enforcement should be dismissed.

### ANALYSIS AND CONCLUSIONS OF LAW

Employee noted in its September 30, 2019 Praecept of Compliance, that "[t]he Agency is now in full compliance with the Initial Decision in this matter (emphasis added)."<sup>2</sup> Since Agency has complied with this Office's decision, Employee's Petition for Enforcement is DISMISSED.

### ORDER

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

FOR THE OFFICE:

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MONICA DOHNJI, Esq.  
Senior Administrative Judge

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<sup>1</sup> Employee's Praecept of Compliance (September 30, 2019).

<sup>2</sup> *Id.*