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

_____	)	
In the Matter of:	)	
	)	OEA Matter No.: 1601-0085-17
SAEEDHA HENSON,	)	
Employee	)	
	)	Date of Issuance: June 15, 2018
v.	)	
	)	
OFFICE OF THE STATE SUPERINTENDENT	)	
OF EDUCATION,	)	Michelle R. Harris, Esq.
Agency	)	Administrative Judge
	)	
	)	
_____	)	
Saeedha Henson, Employee, <i>Pro Se</i>		
Hillary Hoffman-Peak, Esq., Agency Representative		

**INITIAL DECISION**

**INTRODUCTION AND PROCEDURAL BACKGROUND**

On August 16, 2017, Saeedha Henson (“Employee”), filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the Office of the State Superintendent of Education’s (“Agency” or “OSSE”) decision to terminate her from her position as a Bus Attendant. The effective date of the termination was August 7, 2017. Agency filed its Answer on September 12, 2017. Following a failed attempt at mediation, this matter was assigned to the undersigned Administrative Judge on January 16, 2018. On January 18, 2018, I issued an Order for a Prehearing Conference in this matter. The conference was scheduled for February 21, 2018. On February 21, 2018, neither party appeared for the conference. As a result, I issued an Order for Statement of Good Cause to both parties. Both parties responded to the Order and indicated that they did not receive the January 18, 2018 Order. On March 5, 2018, I issued an Order rescheduling the Prehearing Conference for March 20, 2018.

On March 20, 2018, Agency’s representative appeared, but was dismissed by the undersigned after Employee failed to appear. Employee appeared later and was advised to contact the Office in the future should she have issues that will make her late for scheduled proceedings. Accordingly, on March 23, 2018, I issued an Order rescheduling the Prehearing Conference for April 9, 2018. Both parties appeared for the Prehearing Conference. During that conference, the parties determined that

they needed time to consider whether mediation should be attempted again. As a result, I referred the matter for mediation on April 17, 2018.

A mediation conference was held on May 31, 2018. Following a successful mediation, on June 6, 2018, the parties forwarded an executed copy of the settlement agreement reached in this matter.<sup>1</sup> The settlement agreement bears both Employee's and Agency's signatures. Employee also submitted a Motion to withdraw her appeal on the same date. 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 on the parties' settlement of this matter.

### FINDINGS OF FACTS, ANALYSIS AND CONCLUSIONS OF LAW

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.

In the instant matter, since the parties have agreed upon and executed a settlement agreement, pursuant to the aforementioned code provision, I find that Employee's Petition for Appeal should be dismissed with prejudice.

### ORDER

It is hereby **ORDERED** that Employee's petition in this matter is **DISMISSED WITH PREJUDICE**.

FOR THE OFFICE:

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Michelle R. Harris, Esq.  
Administrative Judge

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<sup>1</sup> The settlement agreement was sent to the mediator in this matter.