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THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
WALTER HILL,)	
Employee)	OEA Matter No. 1601-0091-17
)	
v.)	Date of Issuance: April 19, 2018
)	
D.C. DEPARTMENT OF)	
BEHAVIORAL HEALTH,)	
Agency)	Eric T. Robinson, Esq.
)	Senior Administrative Judge
_____)	
Donna W. Rucker, Esq., Employee Representative)	
Ryan E. Donaldson, Esq., Agency Representative)	

INITIAL DECISION

PROCEDURAL BACKGROUND

On September 13, 2017, Walter Hill (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or the “Office”) contesting the District of Columbia Department of Behavioral Health (“Agency”) action of removing him from service. Agency filed its Answer in this matter and it was then placed on the OEA’s Mediation docket. According to the record, the parties participated in a Mediation/Settlement discussion. Ultimately, the parties opted to settle their differences. This matter was then assigned to the Undersigned on January 16, 2018, for adjudication purposes. At that point, the parties had settled in principle but had not submitted the required documentation to the Office noting that their final decision was to settle and dismiss the instant matter. On January 29, 2018, the Undersigned issued an Order Convening a Prehearing Conferences which was originally set for March 8, 2018. Thereafter, the parties requested multiple Continuances so as to finalize the terms of the agreed upon settlement. On April 18, 2018, the parties submitted a fully executed copy of the Agreement and General Release. In pertinent part, this agreement provides for the dismissal of the instant matter. After reviewing the record, I have determined that no further proceedings are warranted. 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 matter may now be dismissed.

ANALYSIS AND CONCLUSION

I am guided by the OEA rules in this matter. OEA 606.2¹ provides that “the Office shall exert every possible effort to resolve matters by mediation, to the extent possible, rather than through litigation.” Furthermore, OEA Rule 606.11 states that “if the parties reach a settlement, the matter shall be dismissed in accordance with D.C. Official Code § 1-606.06(b) (2006 Repl.)” The parties have submitted a fully executed Agreement and General Release which indicates that the parties have settled their differences and Employee is withdrawing his Petition for Appeal. Accordingly, I find that Employee’s Petition for Appeal should be dismissed in accordance with OEA Rule 606.11.²

ORDER

Based on the foregoing, it is hereby ORDERED that this matter be DISMISSED.

FOR THE OFFICE:

Eric T. Robinson, Esq.
Senior Administrative Judge

¹ 59 DCR 2129 (March 16, 2012).

² Pursuant to this ruling, the Prehearing Conference, which was previously scheduled to occur on April 19, 2018, is hereby CANCELLED.