

THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
JOSEPH SUDOL)	OEA Matter No. 1601-0101-07
Employee)	
)	Date of Issuance: March 25, 2008
v.)	
)	Sheryl Sears, Esq.
DISTRICT OF COLUMBIA)	Administrative Judge
PUBLIC SCHOOLS)	
_____)	
Agency)	

Joseph Sudol, Employee, *Pro Se*
Harriet Segar, Esq., Agency Representative

INITIAL DECISION

INTRODUCTION

Employee was a Middle School Teacher. By letter dated July 11, 2007, Agency notified him that he would be separated for failure to comply with licensure requirements. On July 25, 2007, Employee filed a timely petition for appeal with this Office. Employee challenged the separation on the ground that Agency failed to serve him with timely advance notice. However, Employee also noted that he presented notice of retirement to Agency in March, 2007, with an effective date of August 21, 2007.

This appeal presented the question of whether Employee was removed or retired. This Judge ordered the parties to make written submissions addressing the following issue: Was Employee separated from his position with Agency or did he retire? The parties were directed to present documentation to support of their positions. By letter dated March 10, 2008, Employee notified this Judge that “this matter has been satisfactorily settled between the parties as DCPS has recognized my notice of retirement and adjusted their records accordingly.”

JURISDICTION

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

ISSUES

Whether Employee's appeal should be dismissed.

ANALYSIS AND CONCLUSIONS

The D.C. Official Code § 1-606.6(b), states, in relevant portion, that "a settlement agreement, prepared and signed by all the parties, shall constitute the final and binding resolution of the appeal." Employee has notified the Office of the settlement of his appeal. As this appeal is resolved, it will be dismissed.

ORDER

It is hereby ORDERED that Employee's petition for appeal is DISMISSED.

FOR THE OFFICE:

SHERYL SEARS, ESQ., ADMINISTRATIVE
JUDGE