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THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
SHEILA REID,)	
Employee)	OEA Matter No. 2401-0093-18
)	
v.)	Date of Issuance: July 31, 2019
)	
D.C. PUBLIC SCHOOLS,)	
Agency)	MICHELLE R. HARRIS, ESQ.
)	Administrative Judge
_____)	
David A. Branch, Esq., Employee Representative)	
Nicole Dillard, Esq., Agency Representative ¹)	

INITIAL DECISION

INTRODUCTION AND PROCEDURAL HISTORY

On September 18, 2018, Sheila Reid (“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 removing her from service through a Reduction-In-Force (“RIF”). The effective date of the RIF was August 24, 2018. Agency submitted its Answer to Employee’s Petition for Appeal on October 22, 2018. This matter was assigned to the undersigned Administrative Judge (“AJ”) on November 2, 2018. On November 2, 2018, I issued an Order Convening a Prehearing Conference in this matter. The Prehearing Conference was scheduled for November 27, 2018. On November 20, 2018, Employee filed a Motion to Continue the Prehearing Conference. On November 27, 2018, I issued an Order granting Employee’s Motion and rescheduled the Prehearing Conference to December 18, 2018.

Following the Prehearing Conference, I issued an Order on December 19, 2018, requiring both parties to submit briefs in this matter. Briefs were due on or before January 25, 2019, and reply briefs were due on or before February 19, 2019. On January 25, 2019, Agency filed an Unopposed Motion for an Extension of time to File Briefs. I issued an Order on January 25, 2019, granting Agency’s Motions. Briefs were now due on or before January 29, 2019, and reply briefs were due on or before February 22, 2019. On February 27, 2019, Employee requested an extension of time to file briefs. On March 1, 2019, I issued an Order granting this request and required that briefs be

¹ The previous Agency representative on this matter was Carl K. Turpin, Esq.

submitted on or before March 8, 2019. On March 8, 2019, the parties filed a joint Brief requesting an extension of time in which to file briefs, indicating that they were in settlement negotiations. The motion was granted. Following several months of follow-up email correspondence with the parties regarding the status of the settlement negotiations, on July 19, 2019, Employee filed a Stipulation of Dismissal indicating that the parties had reached a settlement in this matter. 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 and Employee filed a Voluntary Stipulation of Dismissal², 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:

Michelle R. Harris, Esq.
Administrative Judge

² Employee's Stipulation of Voluntary Dismissal with Prejudice (July 19, 2019).