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THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:)	
)	OEA Matter No.: 1601-0068-13
NICOLE COOK,)	
Employee)	
)	Date of Issuance: October 23, 2014
v.)	
)	
D.C. DEPARTMENT OF)	
HUMAN RESOURCES,)	
Agency)	Arien P. Cannon, Esq
)	Administrative Judge
)	
)	
Nicole Cook, <i>Pro se</i>)	
Rahsaan Dickerson, Esq., Agency Representative)	

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On March 27, 2013, Nicole Cook (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“Office” or “OEA”) challenging the District of Columbia’s Department of Human Resources’ (“Agency”) decision to suspend her for ten (10) days and implement a reduction in grade. Employee is employed as a Human Resource Specialist with Agency. This matter was assigned to me on May 1, 2014, after Administrative Judge Eric Robinson recused himself. A Prehearing Conference was held on July 8, 2014. Subsequently, a Post Status Conference Order was issued which required the parties to address the issues in this matter. Prior to the parties filing this briefs, the parties went to mediation. As a result of mediation, the parties reached a Settlement Agreement and on October 21, 2014, Employee submitted a Withdrawal of Appeal, along with the Settlement Agreement. The record is now closed.

JURISDICTION

Jurisdiction of this Office is established in this matter pursuant to D.C. Official Code § 1-606.03 (2001).

ISSUE

Whether Employee's Petition for Appeal should be dismissed based on her voluntary withdrawal as a result of settlement negotiations.

ANALYSIS AND CONCLUSION

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.

On October 21, 2014, a Withdrawal of Appeal, along with a Settlement Agreement which was signed by both parties, was submitted to this Office. Accordingly, Employee's Petition for Appeal is hereby **DISMISSED** with prejudice.

ORDER

It is hereby **ORDERED** that Employee's Petition for Appeal is **DISMISSED** with prejudice.

FOR THE OFFICE:

Arien P. Cannon, Esq.
Administrative Judge