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THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	OEA Matter No.: 1601-0034-12
MICHAEL ALSTON,)	
Employee)	
)	Date of Issuance: August 24, 2015
v.)	
)	
DISTRICT OF COLUMBIA)	
DEPARTMENT OF PARKS &)	
RECREATION,)	
Agency)	Sommer J. Murphy, Esq.
_____)	Administrative Judge
Cecilia R. Jones, Esq., Employee Representative		
Eric Huang, Esq., Agency Representative		

INITIAL DECISION

INTRODUCTION AND PROCEDURAL HISTORY

On November 21, 2011, Michael Alston (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA”) contesting the District of Columbia Department of Department of Recreation’s (“Agency” or “DPR”) action of terminating his employment. Employee, who worked as a Recreation Specialist, was terminated effective October 21, 2011.

I was assigned this matter in August of 2013. On August 26, 2013, I issued an Order scheduling a Prehearing Conference for the purpose of assessing the parties’ arguments. Orders rescheduling the Prehearing Conference were issued on September 23, 2013, November 20, 2013, January 2, 2014, January 22, 2014, and February 19, 2014.¹ The Prehearing Conference was held on February 26, 2014, during which the parties identified witnesses and exhibits to be presented at the May 15, 2014 Evidentiary Hearing. An Order Rescheduling an Evidentiary Hearing was issued on July 3, 2014. However, on August 28, 2014, counsel for Employee filed a Consent Motion for a Continuance, stating that the parties were engaged in settlement discussions. The Undersigned subsequently issued Status Conference Orders on October 2, 2014, December 29, 2014, and January 7, 2015, for the purpose of ascertaining the status of

¹ On December 30, 2013, Employee requested, in writing, that the matter be postponed for the purpose of securing representation.

negotiations. In addition, the parties kept the Undersigned abreast of the status via email correspondence. On July 15, 2015, counsel for Agency stated, via email, that Employee signed the settlement agreement and returned the documents to them. On August 14, 2015, Employee submitted a written copy of the Settlement Agreement, in addition to a voluntary letter of resignation.² The record is now closed.

JURISDICTION

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

ISSUE

Should Employee's appeal be dismissed?

FINDINGS OF FACT, ANALYSIS, AND CONCLUSIONS OF LAW

Employee and Agency have executed a Settlement Agreement, thus the Undersigned deems this matter fully settled. Accordingly, Employee's Petition for Appeal is dismissed.

ORDER

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

FOR THE OFFICE:

SOMMER J. MURPHY, ESQ.
ADMINISTRATIVE JUDGE

² The Settlement Agreement between the parties is deemed confidential and will not be included as part of OEA's record.