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THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

| | | |
|--|---|----------------------------------|
| _____ |) | |
| In the Matter of: |) | |
| |) | |
| JOHN DANNA, |) | |
| Employee |) | OEA Matter No. 1601-0121-14 |
| |) | |
| v. |) | Date of Issuance: March 30, 2016 |
| |) | |
| D.C. PUBLIC SCHOOLS, |) | |
| Agency |) | Eric T. Robinson, Esq. |
| |) | Senior Administrative Judge |
| _____ |) | |
| John Danna, Employee <i>Pro-Se</i> | | |
| Lynette Collins, Esq., Agency Representative | | |

INITIAL DECISION

PROCEDURAL BACKGROUND

On September 2, 2014 John Danna (“Employee”) submitted a Petition for Appeal to the Office of Employee Appeals (“OEA”) contesting the District of Columbia Public Schools’ (“Agency”) action of removing him from service. Employee’s last position of record was School Psychologist. The effective date of Employee’s termination was August 8, 2014. This matter was originally assigned to Administrative Judge (“AJ”) Stephanie Harris. After AJ Harris left the employ of OEA, the matter was reassigned to the undersigned on or about November 2015. A Prehearing conference was initially scheduled for January 14, 2016. However, Employee requested and was granted a Continuance. The Prehearing Conference was rescheduled for February 25, 2016. During the Prehearing Conference, the parties discussed possibly settling their differences without further litigation. After subsequent telephonic conferences, the parties revealed to the Undersigned that they had settled their differences. On March, 29, 2016, the parties submitted to the Undersigned a fully executed settlement agreement. As part of the agreement, the parties agreed to withdraw the instant petition for appeal. The record is now closed.

JURISDICTION

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

ISSUE

Whether this matter should be dismissed.

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.)” It is evident from the record that the parties have settled their differences in this matter. Accordingly, I find that Employee’s Petition for Appeal should be dismissed in accordance with OEA Rule 606.11.

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).