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THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
KARL MUHAMMAD)	OEA Matter No. 1601-0121-07
Employee)	
)	Date of Issuance: February 25, 2008
v.)	
)	Lois Hochhauser, Esq.
D.C. PUBLIC SCHOOLS)	Administrative Judge
Agency)	
_____)	
Karl Muhammad, Employee)	
Michael Levy, Esq., Agency Representative)	

INITIAL DECISION

INTRODUCTION AND STATEMENT OF FACTS

Employee filed a petition with the Office of Employee Appeals (OEA) on September 20, 2007, appealing Agency’s final decision to suspend him without pay for ten days, effective September 10, 2007. At the time he filed this petition, Employee, Budget Officer with Agency, was in career and permanent status.

The matter was assigned to me on December 28, 2007. The parties began mediation before Mediator Eric T. Robinson, Esq. of OEA in December 2007. Mediation efforts were successful, and the parties entered into a written settlement agreement. On February 20, 2008, Employee sent a memorandum to Mediator Robinson, asking to withdraw the appeal. The record is now closed.

JURISDICTION

This Office has jurisdiction pursuant to D.C. Office Code Section 1-606.03 (2001).

ISSUE

Should this matter be dismissed?

FINDINGS OF FACT, ANALYSIS AND CONCLUSIONS

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.

The parties have submitted a written Settlement Agreement signed by both parties. On February 20, 2008, Employee filed a memorandum asking to withdraw this appeal. The Administrative Judge concludes that the petition should be dismissed. She commends the parties on the successful resolution of this matter.

ORDER

It is hereby ORDERED that the petition for appeal is DISMISSED.

FOR THE OFFICE:

Lois Hochhauser, Esq.
Administrative Judge