

THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

_____)
In the Matter of:)
) OEA Matter No. 1601-0095-08
ANDRE KNUCKLES)
Employee) Date of Issuance: March 12, 2009
)
v.) Sheryl Sears, Esq.
) Administrative Judge
DEPARTMENT OF MENTAL)
HEALTH)
Agency)
_____)

Andre Knuckles, Employee, *Pro Se*
Rorey Smith, Esq., Esq., Agency Representative

INITIAL DECISION

INTRODUCTION AND FINDINGS OF FACT

Andre Knuckles (“Employee”) was a Forensic Psychiatric Technician at Saint Elizabeth’s Hospital. By notice dated May 1, 2008, and amended on June 4, 2008, Patrick J. Canvan, Psy.D., Chief Executive Officer, informed Employee of Agency’s final decision to remove him effective on June 8, 2008. Employee filed an appeal with the Office of Employee Appeals (“the Office”).

On October 29, 2008, the parties met for a pre-hearing conference. They agreed to try and resolve this matter through settlement negotiations through the Office’s Mediation Program. Proceedings were temporarily stayed to allow the parties time to meet with a mediator. While their negotiations continued, a hearing was scheduled. On March 4, 2009, this Judge learned that the parties had reached a final agreement and cancelled the hearing. On March 6, 2009, Agency presented a “praecipe” notifying the Office that “the parties successfully and voluntarily signed a written settlement agreement on February 27, 2009.” Agency requested that the matter be dismissed with prejudice. The record is now closed.

JURISDICTION

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

ISSUE

Whether this appeal should be dismissed pursuant to the settlement agreement.

ANALYSIS AND CONCLUSIONS

The D.C. Official Code § 1-606.6(b), states, in relevant portion, that “a settlement agreement, prepared and signed by all the parties, shall constitute the final and binding resolution of the appeal.” Because this appeal has been resolved through settlement, it will be dismissed.

ORDER

It is hereby ORDERED that Employee’s petition for appeal is dismissed with prejudice.

FOR THE OFFICE:

SHERYL SEARS, ESQ.
ADMINISTRATIVE JUDGE