

Notice: This decision is subject to formal revision before publication in the District of Columbia Register. Parties are requested to notify the Office Manager of any formal errors in order that corrections be made prior to publication. This is not intended to provide an opportunity of a substantive challenge to the decision.

THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
ERICKA ABBEY,)	
Employee)	OEA Matter No.: 1601-0062-14
)	
v.)	Date of Issuance: October 20, 2014
)	
DISTRICT OF COLUMBIA OFFICE OF)	
UNIFIED COMMUNICATIONS,)	MONICA DOHNJI, Esq.
Agency)	Administrative Judge
_____)	
Robert J. Shore, Esq., Employee Representative)	
Gregory Evans, Esq., Agency Representative)	

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On March 10, 2014, Ericka Abbey (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the District of Columbia Office of Unified Communications’ (“OUC” or “Agency”) decision to terminate her from her position as a Dispatcher effective February 8, 2014. On May 23, 2014, Agency filed its Answer, along with a Motion to Dismiss Employee’s Petition for Appeal.

Following a failed mediation attempt, this matter was assigned to the undersigned Administrative Judge (“AJ”) on July 18, 2014. On September 10, 2014, the undersigned issued an order scheduling a Status/Prehearing Conference for October 29, 2014. On October 16, 2014, Employee submitted a Withdrawal of her appeal, along with an executed settlement agreement. The record is now closed.

JURISDICTION

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

ISSUE

Whether this appeal should be dismissed.

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.

In the instant matter, since the parties have agreed and executed a settlement agreement, and Employee has voluntarily withdrawn her Petition for Appeal, I find that Employee's Petition for Appeal is dismissed.

ORDER

It is hereby **ORDERED** that the Petition for Appeal in this matter is **DISMISSED**.

FOR THE OFFICE:

MONICA DOHNJI, Esq.
Administrative Judge