

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 may be made prior to publication. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

THE DISTRICT OF COLUMBIA  
BEFORE  
THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:	)	
	)	
ELEANOR FARAR	)	OEA Matter No. 1601-0089-12
Employee	)	
	)	Date of Issuance: February 20,
	)	2014
v.	)	
	)	Lois Hochhauser, Esq.
DISTRICT OF COLUMBIA DEPARTMENT	)	Administrative Judge
OF EMPLOYMENT SERVICES	)	
Agency	)	
Ardra O’Neal, Esq., Employee Representative	)	
Tanya Sapp, Esq., Agency Representative	)	

**INITIAL DECISION**

INTRODUCTION AND PROCEDURAL BACKGROUND

Eleanor Farar, Employee herein, filed a petition with the Office of Employee Appeals (OEA) on April 13, 2012, appealing the decision of the District of Columbia Department of Employment Services, Agency herein, to suspend her from her position as Manpower Development Specialist, for ten days without pay, effective March 16, 2012. The matter was assigned to me on September 3, 2013.

The prehearing conference took place on October 29, 2013. The hearing, originally scheduled for December 16, 2013 was continued until February 4, 2014. During this time, the parties raised matters concerning discovery, which were addressed by the Administrative Judge in an Order issued on January 27, 2014. Several days before the scheduled proceeding, the parties notified the undersigned that the matter had been resolved. The hearing was therefore cancelled. On February 5, 2014, Employee filed a Notice of Withdrawal of Petition for Appeal with this Office, asking that the petition “be withdrawn in its entirety” based on the “mutually-satisfactory resolution” of the matter. The record is now closed.

JURISDICTION

This Office has jurisdiction pursuant to D.C. Office Code § 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 that a petition for appeal will be dismissed if the parties enter into a voluntary settlement of the matter. *See, e.g., Rollins v. District of Columbia Public Schools*, OEA Matter No. J-0086-92, Opinion and Order on Petition for Review (December 3, 1990). Employee has filed a submission requesting that her petition for appeal be withdrawn based on the “mutually-satisfactory resolution” of the matter. The Administrative Judge commends the parties on their successful resolution of this matter. She concludes that Employee’s request should be granted; and that this petition for appeal should be dismissed.

ORDER

Based on these findings and conclusions, and consistent with this analysis, it is hereby:

ORDERED: The petition for appeal is dismissed.

FOR THE OFFICE:

LOIS HOCHHAUSER, Esq.  
Administrative Judge