

Notice: This decision may be formally revised before it is published in the *District of Columbia Register* and the Office of Employee Appeals' website. Parties should promptly notify the Office Manager of any formal errors so that this Office can correct them before publishing the decision. 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:)	
)	
EMPLOYEE ¹ ,)	
Employee)	OEA Matter No. 1601-0039-22
)	
v.)	Date of Issuance: June 23, 2022
)	
D.C. DEPARTMENT OF HEALTH,)	MONICA DOHNJI, Esq.
Agency)	Senior Administrative Judge
)	
Employee, <i>Pro Se</i>)	
Jeremy Greenberg, Esq., Agency's Representative)	

INITIAL DECISION

INTRODUCTION AND PROCEDURAL HISTORY

On February 4, 2022, Employee filed a Petition for Appeal with the Office of Employee Appeals ("OEA") contesting the D.C. Department of Health's ("Agency") decision to terminate him from his position of Resource Development Specialist/Health Licensing Specialist, effective January 28, 2022. OEA issued a Request for Agency Answer to Petition for Appeal on February 4, 2022. Thereafter, on March 4, 2022, Agency filed its Answer to Employee's Petition for Appeal. This matter was assigned to a Mediator. Following a successful mediation, the parties reached a settlement agreement. On June 8, 2022, the parties filed a Joint Stipulation of Dismissal noting that "... the Parties have reached a settlement in the above captioned matter. Accordingly, the Parties request that the Office dismiss [Employee's] Petition with Prejudice."² This matter was assigned to the undersigned on June 14, 2022. The record is now closed.

¹ Employee's name was removed from this decision for the purposes of publication on the Office of Employee Appeals' website.

² Joint Stipulation of Dismissal (June 8, 2022).

JURISDICTION

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

ISSUE

Whether Employee's Petition for Appeal should be dismissed.

ANALYSIS AND CONCLUSIONS OF LAW

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 reached a settlement agreement, and have requested that this matter be dismissed, I find that Employee's Petition for Appeal should be dismissed.

ORDER

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

FOR THE OFFICE:

/s/ *Monica N. Dohnji*

MONICA DOHNJI, Esq.
Senior Administrative Judge