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THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the matter of :)	
)	
ODIS W. BRADFORD)	OEA Matter No. 2401-0215-96C2004
Employee)	
)	Date of Issuance: June 8, 2005
v.)	
)	Sheryl Sears, Esq.
D.C. PUBLIC SCHOOLS)	Administrative Judge
Agency)	
)	
_____)	

Sandy V. Lee, Esq., Employee Representative
Frank McDougald, Esq., Agency Representative
Harriet E. Segar, Esq., Agency Representative.

ADDENDUM DECISION ON COMPLIANCE

INTRODUCTION AND PROCEDURAL HISTORY

In the fiscal year of 1996, the District of Columbia Board of Education employed three Engineering Technicians at its Kramer Annex. They were D.E., R.G. and Employee. Due to budgetary constraints, Agency removed two of the three Engineering Technicians by reduction-in-force (RIF) including Employee. Agency notified Employee, by notice of July 3, 1996, that he would be removed effective August 5, 1996.

Employee filed an appeal with this Office (OEA Matter No. 2401-0215-96). This Judge rendered a decision ordering Agency to reverse the removal, restore to Employee all pay lost because of its action and file documents showing compliance with this Office. Agency filed a petition for review of that decision with the Board of the Office. On March 10, 2004, the Board affirmed this Judge's decision.

On November 26, 2004, Employee filed a petition for enforcement of the Board's decision claiming that, although he was reinstated on May 14, 2004, Agency failed to comply with the order to restore his lost wages and other benefits. Employee also submitted a Motion for Attorney Fees that was docketed separately as OEA Matter No. 2401-0215-96A01. On December 29, 2004, this Judge referred both matters to the OEA Mediation Program.

On February 15, 2005, Mediator, Daryl Hollis, Esq. met with Employee Bradford and Attorneys Lee and McDougald met for a conference. At the conference, the parties agreed on terms for settling the enforcement issue. A decision in the attorney fees matter will issue separately.

JURISDICTION

The Office of Employee Appeals has jurisdiction in this matter pursuant to D.C. Official Code § 1-606.3 (2001).

ISSUES

Whether Employee's motion for compliance should be dismissed pursuant to the parties' settlement agreement.

ANALYSIS AND CONCLUSIONS

The D.C. Code Ann. (2001), at § 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." The parties have prepared and signed a settlement agreement in this matter. It is a final and binding resolution of the enforcement issue. Therefore, Employee's petition for enforcement must be dismissed.

ORDER

It is hereby ORDERED that Employee's petition for enforcement is dismissed.

FOR THE OFFICE:



SHERYL SEARS, ESQ.
ADMINISTRATIVE JUDGE