Notice: This decision may be revised before publication in the *District of Columbia Register*. Parties should promptly notify the Office of any formal errors so that this Office can correct them before publishing this decision. This notice is not intended to provide an opportunity for substantive challenge to the decision.

THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:	)	
	)	
MELVIN P. LEE	)	
Employee	)	
	)	OEA Matter No. 1601-0092-98
v.	)	
	)	Date of Issuance September 28, 2001
D.C. DEPARTMENT OF HUMAN SERVICES	)	
Agency	)	
	)	
	)	

OPINION AND ORDER
ON
PETITION FOR REVIEW

Agency suspended Employee for 15 days for insubordination and inexcusable neglect of duty. Employee appealed to the Office on April 3, 1998. The Administrative Judge scheduled a prehearing conference for December 7, 2000, and ordered the parties to submit prehearing statements. When Employee failed to file a statement or appear at the conference, the Administrative Judge dismissed the appeal for failure to prosecute.

Employee filed a petition for review, in which it is argued that Employee and his representative were not notified of the date of the prehearing conference. Employee concedes that he failed to notify the Office of a change of address.

In *Taylor v. Metropolitan Police Department*, OEA Matter No. 1601-0084-96, *Opinion and Order on Petition for Review*, ___D.C. Reg.___ ( ), the Board ruled:

> Under the Rules of the Office, it is a party's duty to inform the Office of any change in address. The fact that a party fails to receive a notice, due to his own omission in supplying this information, does not excuse the failure to appear and participate in the appeal proceedings. *Cloude v. District of Columbia Fire Dep't*, OEA Matter No. 1601-0070-85, *Opinion and Order on Remand from the Courts* (May 20, 1994) ; *Dorgett v. Department of Consumer & Regulatory Affairs*, OEA Matter No. 1601-0299-94, *Opinion and Order on Petition for Review* (Sept. 29, 1995). Employee's negligence in failing to timely change his address, under the precedents of this Office, does not constitute a basis for granting a petition for review.

Employee's Petition for Review fails to advance a sound reason for reversing the Initial Decision in this matter, and therefore the petition shall not be granted.

ORDER

Accordingly, it is hereby ORDERED that Employee's Petition for Review is DENIED.

FOR THE BOARD:

Keith E. Washington, Chair

Gwendolyn Hemphill

Michael Wolf, Esq.

The initial decision in this matter shall become a final decision of the Office of Employee Appeals 5 days after the issuance of this order. An appeal from a final decision of the Office of Employee Appeals may be taken to the Superior Court of the District of Columbia within 30 days after formal notice of the decision or order sought to be reviewed.