

THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	OEA Matter No. 2401-0099-10R13
JOANNE TAYLOR-COTTEN,)	
Employee)	
)	Date of Issuance: July 23, 2014
v.)	
)	
DISTRICT OF COLUMBIA)	Joseph E. Lim, Esq.
PUBLIC SCHOOLS,)	Senior Administrative Judge
Agency)	
_____)	
Carl Turpin, Esq., Agency Representative)	
Donald Taylor, Esq., Employee Representative)	

INITIAL DECISION ON REMAND

INTRODUCTION AND PROCEDURAL HISTORY

On October 26, 2009, Joanne Taylor-Cotton (“Employee”) filed a petition for appeal with the Office of Employee Appeals (“the OEA” or “the Office”) contesting the District of Columbia Public School’s (“Agency” or “DCPS”) action of terminating her employment through a Reduction-in-Force (“RIF”). The effective date of the RIF was November 2, 2009. Employee’s position of record at the time her position was abolished was a Counselor, ET-15, at Houston Elementary School (“Houston”). Employee was serving in Educational Service status at the time she was terminated.

I was assigned this matter on February 6, 2012. On February 8, 2012, I ordered the parties to submit briefs on the issue of whether Agency conducted the instant RIF in accordance with applicable District laws, statutes, and regulations. On March 30, 2012, I issued an Initial Decision (“ID”) upholding the RIF. Upon appeal by Employee, the OEA Board remanded this matter back to the undersigned, with instructions to determine if there is substantial evidence to support the Competitive Level Documentation Form (“CLDF”) used in Employee’s RIF.¹

I held a status conference on December 19, 2013, and conducted an evidentiary hearing on February 28, 2014. At the conclusion of the hearing, I ordered the parties to submit closing arguments. Upon the parties’ motion, the deadline was extended to July 1, 2014. On July 11, 2014, the parties indicated verbally and in writing that they had settled. The record is now closed.

¹ *Taylor-Cotton v. DCPS*, OEA Matter No. 2401-0099-10, *Opinion and Order on Petition for Review* (Aug. 2, 2013)

JURISDICTION

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

ISSUE

Whether this appeal should be dismissed.

FINDINGS OF FACTS, ANALYSIS, AND CONCLUSIONS OF LAW

Since the parties have settled the matter, Employee's petition for appeal is dismissed.

ORDER

It is hereby ORDERED that the petition in this matter is dismissed with prejudice.

FOR THE OFFICE:

Joseph E. Lim, Esq.
Senior Administrative Judge