

BOARD OF DIRECTORS OF THE OFFICE OF COMPLIANCE
LA 200, John Adams Building
110 Second Street, S.E.
Washington, D.C. 20540-1999

The Architect of the Capitol,)	
)	
Appellant)	
)	Case No. 99-AC-326(DA)
v.)	
)	
Juanita Johnson,)	
)	
Appellee)	
)	

ORDER

The Board of Directors denies the “Request for Stay of Matters Kept Pending Before the Hearing Officer” filed in this matter by the Office of the Architect of the Capitol. Section 406(d) of the Congressional Accountability Act requires that a hearing officer issue a decision “after the conclusion of the hearing.” In this matter, the March 19, 2001 Order of the Hearing Officer required, *inter alia*, that: “complainant shall file and serve on or before April 9, 2001, a Back Pay and Interest Calculation . . . ; [o]n or before April 30, 2001, AOC may file and serve objections to the data or calculations . . . ; [and] [o]n May 21, 2001, beginning at 10 a.m., the Hearing Officer will conduct a hearing at the Office of Compliance in order to determine the correct amount to be included in a June 15, 2001, order awarding back pay and interest.” Consequently, the “hearing” in this matter remains open.

Because the hearing in this matter has not concluded, the Hearing Officer's "decision", as referenced in Section 405(g) of the Act, and Sections 7.16(b) and 8.01(a) of the Procedural Rules, has not been "entered into the records of the Office . . .," and the pending "Petition for Review" in this matter is premature. Therefore, the Board also dismisses without prejudice the "Petition for Review" of April 17, 2001 filed in this matter by the Office of the Architect of the Capitol.

Issued, Washington, DC, May 22, 2001.

Susan A. Robfogel
For the Board of Directors,
Susan S. Robfogel, Chair

WWT II

CERTIFICATE OF SERVICE

I hereby certify that copies of the Order were mailed by facsimile and first class mail by me this 22nd day of May 2001.

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Sean Kelly
Hearing Clerk
Office of Compliance