

OFFICE OF COMPLIANCE

LA 200, John Adams Building, 110 Second Street, S.E.
Washington, DC 20540-1999

_____)	
Charles Bullock,)	
)	
Appellant,)	
)	
v.)	Case Number: 12-AC-73 (CV, DA, FM, RP)
)	
Office of the Architect of the Capitol,)	
)	
Appellee.)	
_____)	

Before the Board of Directors: Barbara L. Camens, Chair; Alan V. Friedman, Roberta L. Holzwarth, Susan S. Robfogel, Barbara Childs Wallace, Members.

DECISION OF THE BOARD OF DIRECTORS

This case is before the Board of Directors (“Board”) pursuant to a petition for review filed by Charles Bullock (“Appellant”), from a decision granting motions to dismiss the complaint filed by the Office of the Architect of the Capitol (“Appellee”). Hearing Officer Susan Winfield dismissed the instant matter after finding that the complaint and other record evidence were insufficient to state a claim upon which relief can be granted.

Appellant seeks review of the Decision and Order of Hearing Officer Winfield. For the reasons set forth below, we affirm the decision of the Hearing Officer.

I. Background

Appellant, represented by counsel, filed a complaint of race discrimination, harassment, reprisal and denial of FMLA leave with the Office of Compliance. The Hearing Officer found that Appellant failed to provide sufficient information to support his claims and obtain relief, and granted the Appellee’s motions to dismiss.

Appellant timely filed a Petition for Review with the Board of the Office of Compliance. The petition stated only “Pursuant to section 8.01(a) of the Procedural Rules of the Office of Compliance, Counsel for the Complainant is filing a petition for review by the Board of Directors.” The Appellant failed to file a brief in support of his Petition for Review.

Procedural Rule 8.01(b)(1) requires the Appellant to submit a brief supporting his Petition for Review and to “identify with particularity those findings or conclusions in the decision and order that are challenged and... refer to the portions of the record and the provisions of statutes or rules that are alleged to support each assertion made on appeal.”

In the instant matter, Appellant failed to identify with particularity any findings or conclusions in the Hearing Officer’s decision and order that are challenged. Nor did Appellant refer to the portions of the record and the provisions of statutes or rules that are alleged to support each assertion made on appeal. Accordingly, the Board has no grounds to overturn the decision of the Hearing Officer and it is thereby affirmed.¹

ORDER

For the foregoing reasons, the Hearing Officer’s decision is affirmed.
It is so ORDERED.

Issued, Washington, D.C. on September 12, 2013.

¹ In affirming the Hearing Officer’s decision, the Board does not agree with the suggestion that, to establish that the OOC has jurisdiction, a covered employee must provide evidence that a particular claim was included in his or her request for counseling.