

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Office of the City Administrator

Rashad M. Young  
City Administrator



**CITY ADMINISTRATOR'S ORDER  
NO. 2018-2**

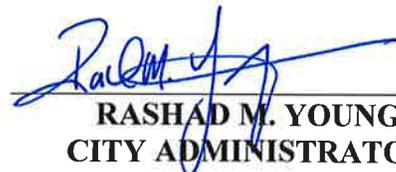
**DATE:** October 16, 2018

**SUBJECT:** Approval by the City Administrator of Certain Settlement Agreements

By virtue of the authority vested in me as City Administrator by section 422(7) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 790; D.C. Official Code § 1-204.22(7)), and Mayor's Order 2015-036, dated January 9, 2015, and in accordance with the authority set forth in sections 422, 448, and 449 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 790; D.C. Official Code §§ 1-204.22, 1-204.48, and 1-204.49), it is hereby **ORDERED** that:

1. No director, officer, or employee of an agency of the District of Columbia government (hereinafter referred to as a "District government employee") shall enter into, or agree to enter into, the settlement of any litigation or legal claim involving an employee- or personnel-related matter, where such settlement includes the payment of a monetary sum, without the prior approval of the City Administrator.
2. In order to obtain the approval of the City Administrator, the agency shall transmit a copy of the proposed settlement agreement or a summary of the essential terms of the proposed settlement agreement, to the Director of the Mayor's Office of Legal Counsel.
3. For the purposes of this Order, the term:
  - a. "Litigation or legal claim" includes:
    - i. A matter before a court or other tribunal, including a District or federal court, the Office of Administrative Hearings, and the Office of Human Rights; and
    - ii. A demand, claim, or complaint, whether formal or informal, alleging a tort, breach of contract, or violation of a federal or District law or regulation, a Mayor's Order, or other binding authority, regardless of whether the matter is before a court or tribunal.
  - b. "Employee- or personnel-related matter" means an allegation of misconduct or negligent conduct by a District government employee or contractor, including:
    - i. An allegation that a District government employee or contractor violated a provision of the Human Rights Act of 1977, effective December 13, 1977

- (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), including an allegation of harassment, including sexual harassment;
- ii. An allegation that a District government employee or contractor created a hostile work environment or mistreated another District government employee, a contractor, or a member of the public;
  - iii. An allegation that a District government employee or contractor engaged in unethical activity or otherwise violated the public trust, including an allegation of a violation of Title XVIII (Employee Conduct) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-618.01 *et seq.*) or a violation of Chapter 18 (Employee Conduct) of Title 6-B (Personnel) of the District of Columbia Municipal Regulations;
  - iv. A claim or complaint under Title 15-A (Whistleblower Protection) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective October 7, 1998 (D.C. Law 12-160; D.C. Official Code § 1-615.51 *et seq.*);
  - v. An allegation that a District government employee or contractor engaged in tortious activity or a breach of contract; and
  - vi. Any other claim or complaint of misconduct or negligent conduct by a District government employee or contractor.
4. This Order applies to every District government department, agency, office, commission, and board (each referred to in this Order as an “agency”) under the direct administrative control of the Mayor; except, that this Order does not apply to an agency that reports to the Mayor’s Chief of Staff, an agency that reports to the Senior Advisor to the Mayor, or the Mayor’s Office of Legal Counsel.
  5. Failure to comply with this Order shall not affect the validity of a settlement agreement. However, a District government employee who violates this Order shall be subject to appropriate administrative discipline, including, when circumstances warrant, suspension from duty without pay or removal from office.
  6. **EFFECTIVE DATE:** This Order shall be effective immediately.

  
RASHAD M. YOUNG  
CITY ADMINISTRATOR