

OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS

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

Stephanie Richner,)	
)	
Appellant,)	
)	Case No. 23-LC-38 (DA, FL)
v.)	
)	
Library of Congress,)	
)	
Appellee.)	
)	

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

ORDER OF THE BOARD OF DIRECTORS

The appellant has filed a petition for review of the Hearing Officer’s Order on the appellee’s motion for summary judgment. On petition for review, the appellant reiterates her contentions below that her employing office, the Library of Congress (LOC), violated the Americans with Disabilities Act and Rehabilitation Act provisions of the Congressional Accountability Act, 2 U.S.C. § 1311(a)(3), when, *inter alia*, it terminated her employment, failed to properly engage in an interactive process, failed to provide her with a reasonable accommodation of her disability, and otherwise discriminated against her because of her disability.*

Generally, we grant petitions such as this one only in the following circumstances: the decision below contains erroneous findings of material fact; it is based on an erroneous interpretation of statute or regulation or the erroneous application of the law to the facts of the case; the Hearing Officer’s rulings were not consistent with required procedures or involved an abuse of discretion, and the resulting error affected the outcome of the case; or new and material evidence or legal argument is available that, despite the petitioner’s due diligence, was not available when the record closed. 2 U.S.C.

* The appellant also raised claims of harassment based on disability in violation of section 201 of the CAA, 2 U.S.C. § 1313, and a violation of the Equal Pay Act of the Fair Labor Standards Act in violation of section 203 of the CAA, 2 U.S.C. § 1313. The appellant does not challenge on review the Hearing Officer’s Order granting the LOC’s motion to dismiss with respect to these claims.

§ 1406(c); Procedural Rule §8.01. After fully considering the filings in this appeal, we conclude that the appellant has not established any basis for granting the petition for review. Therefore, we DENY the petition for review and AFFIRM the Hearing Officer's Order in its entirety.

ORDER

For the foregoing reasons, the Board affirms the Hearing Officer's Order entering summary judgment for the LOC on all claims.

It is so ORDERED.

Issued, Washington, DC, September 24, 2024