

OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS
LA-200, John Adams Building, 110 Second Street SE
Washington, DC 20540-1999

LaShawn White,	)	
	)	
Appellant,	)	
	)	
v.	)	Case No. 24-AC-49 (CV)
	)	
Architect of the Capitol,	)	
	)	
Appellee	)	
	)	

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

ORDER

This matter is before the Board of Directors pursuant to the request of the employing office, the Architect of the Capitol (AOC), for partial reconsideration of its September 15, 2026, decision in this case. That decision affirmed the Hearing Officer’s July 7, 2025, post-hearing Decision and Order insofar as it concluded that the Claimant had failed to prove her discrimination claims against AOC, but it remanded the case to the Hearing Officer for further consideration of the Appellant’s retaliation claim. In support of its request, AOC contends that the Board incorrectly applied the case law upon which it based its decision to remand.

For the reasons set forth below, the Board denies AOC’s request.

AOC’s request for reconsideration is governed by section 8 of the Board’s Procedural Rules. Section 8.02 provides, in relevant part:

After a final decision or order of the Board has been issued, a party to the proceeding before the Board . . . may move for reconsideration of such final decision or order The decision to grant or deny a motion for reconsideration is within the sole discretion of the Board and is not appealable.

(Emphasis added). Here, the Board’s remand order does not constitute a “final decision or order.” *See* 2 U.S.C. § 1406(e) (stating that “[a] decision that does *not* require further proceedings before a hearing officer shall be entered into the records of the Office as a final decision.”) (emphasis added); *see also* Procedural Rule 8.01(e) (stating that “[w]here there is no remand, the decision of the Board shall be entered in the records of the Office as the final decision of the Board”) (emphasis added); Rule 8.01(f) (stating that “[a] decision of the Board *following completion of the remand* shall be entered in the records of the Office as the final decision of the Board”) (emphasis added).

Because the Board's remand order requires further proceedings before the Hearing Officer in this case, it is not a final decision or order, and it is not subject to a motion for reconsideration. AOC's request must therefore be denied.

ORDER

For the foregoing reasons, AOC's request for reconsideration is DENIED.

Issued, Washington, D.C., October 9, 2026