



Issue Date: 20 September 2004

CASE NO. 2004-ERA-00013

In the Matter of:

CHARLES L. EVANS,

Complainant,

vs.

FLUOR HANFORD, INC./U.S. DEPT. OF ENERGY,

Respondents.

**RECOMMENDED DECISION AND ORDER APPROVING SETTLEMENT
AGREEMENT**

This proceeding arises from a complaint filed against Fluor Hanford, Inc., alleging violations of Section 211 of the Energy Reorganization Act of 1974, as amended, 42 U.S.C. 5851. The U. S. Department of Energy had been dismissed as a party.

On September 8, 2004, the parties filed a Settlement Agreement that is attached. I have reviewed it and enter the following findings:

1. The Settlement Agreement appears to be fair and reasonable on its face effectuates the purposes and policies of the statute under which it arises;
2. This Recommended Decision and Order shall have the same force and effect as one made after a full hearing on the merits;
3. The entire record on which this Recommended Decision and Order is based consists solely of the Complaint and the Settlement Agreement between the parties; and,
4. The parties are deemed to waive any further procedural steps before the me or the Secretary of Labor, as appropriate, regarding the matters which are the subject of their Agreement.

Based on the foregoing, and in accordance with the agreement of the parties, **IT IS ORDERED** that:

1. The Settlement Agreement be, and it hereby is approved;
2. The complaint is withdrawn, and this matter is dismissed.

A

William Dorsey
Administrative Law Judge

NOTICE: This Recommended Decision and Order will automatically become the final order of the Secretary unless, pursuant to 29 C.F.R. § 24.8, a petition for review is timely filed with the Administrative Review Board, United States Department of Labor, Room S-4309, Frances Perkins Building, 200 Constitution Avenue, NW, Washington, DC 20210. Such petition for review must be received by the Administrative Review within ten business days of the date of this Recommended Decision and Order, and shall be served on all parties and on the Chief Administrative Law Judge. *See* 29 C.F.R. §§ 24.7(d) and 24.8.