



Issue Date: 19 November 2018

Case No. 2017-AIR-00026

In the Matter of:

ABDUL-MALIK ALI,
Complainant,

v.

**CITY OF CLEVELAND-CLEVELAND
HOPKINS INTERNATIONAL AIRPORT,**
Respondent.

**DECISION AND ORDER APPROVING SETTLEMENT
AND DISMISSING COMPLAINT**

This proceeding arises from a complaint of discrimination filed by Abdul-Malik Ali (“Complainant”) against City of Cleveland-Cleveland Hopkins International Airport (“Respondent”), under the employee-protection provisions of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (“AIR 21”). 49 U.S.C. § 42121. On November 9, 2018, this Office received from counsel for the Claimant a fully executed Settlement Agreement and Release (“Agreement”) between the Complainant and the Respondent for my review. The Agreement is incorporated into this Order and made part of the record.

In reviewing the Agreement, I must determine whether the terms of the agreement fairly, adequately, and reasonably settle the Complainant’s allegations that the Respondent violated the AIR 21 whistleblower provisions. Having reviewed the Agreement, and furthermore noting that the parties are represented by counsel, I find the terms of the Agreement to be fair, adequate, reasonable, and not contrary to public policy. Therefore, the Agreement is hereby **APPROVED** pursuant to 29 C.F.R. § 1979.111.

Upon my approval, the parties shall implement the terms of the Agreement as stated in the Agreement. This Decision and Order shall have the same force and effect as one made after a full hearing on the merits. I note that my authority over this Agreement is limited to the statutes that are within my jurisdiction as defined by the applicable statute. Therefore, I approve only the terms of the Agreement pertaining to the Complainant’s pending AIR 21 case.

Accordingly, **IT IS ORDERED** that the Settlement Agreement and Release, filed on November 9, 2018, having been **APPROVED**, constitutes the final order of the Secretary and

may be enforced pursuant to 29 C.F.R. § 1979.113. 29 C.F.R. § 1979.111(e). The parties, furthermore, waive any further procedural steps before this Court, as well as any rights to challenge or contest the validity of this Order entered in accordance with the Settlement Agreement and Release.

IT FURTHER ORDERED that the complaint filed in this matter is **DISMISSED WITH PREJUDICE**.

SO ORDERED.

JOHN P. SELLERS, III
Administrative Law Judge