

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 03 February 2015

Case No.: **2014-FRS-60**

In the Matter of:

SCOTT MCKINLEY,
Complainant,

v.

UNION PACIFIC RAILROAD CO.,
Respondent.

**DECISION AND ORDER DISMISSING
COMPLAINT PURSUANT TO SETTLEMENT**

This proceeding arises from a claim of whistleblower protection under the Federal Rail Safety Act, as amended, 49 U.S.C. § 20109 (2013). On February 2, 2015, the parties filed a Joint Motion to Approve Settlement signed by counsel for both parties, requesting that I approve the settlement. A copy of their Settlement Agreement signed by the Claimant and counsel for the Respondent was submitted for my review. I have reviewed the proposed settlement, and find that it is fair, adequate, and reasonable, and should be and is **APPROVED**.

IT IS THEREFORE ORDERED that the claim is dismissed with prejudice in accordance with the settlement agreement submitted by the parties. In accordance with the regulations, the settlement constitutes the final order of the Secretary of Labor and may be enforced under 29 C.F.R. § 1982.113 (2014).

Alice M. Craft
Administrative Law Judge