

UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES
BOSTON, MASSACHUSETTS

Issue Date: 20 November 2014

CASE NO.: 2014-FRS-00113

In the Matter of:

JEFFERY B. MILLER,
Complainant,

v.

CANADIAN NATIONAL RAILROAD COMPANY,
ILLINOIS CENTRAL RAILROAD COMPANY
Respondents.

DECISION AND ORDER APPROVING SETTLEMENT

This proceeding arises from a complaint of discrimination filed under the Federal Rail Safety Act (“the FRSA”), 49 U.S.C. § 20109, as amended by Section 1521 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (the “9/11 Act”), Pub. L. 110-53, 121 Stat 266 (Aug. 3, 2007). The hearing on this matter was scheduled for August 12, 2014 but was continued generally pending settlement negotiations between the parties.

On November 18, 2014, the Court received the parties’ signed settlement agreement. Having been advised of the settlement amount and conditions, and having personally reviewed the settlement agreement, I find the provisions fair, adequate, reasonable and not contrary to public interest. Further, the settlement supports a finding that the complaint be dismissed with prejudice.

After review of the parties’ joint request that the Settlement Agreement be kept confidential, this Administrative Law Judge finds that the Settlement Agreement shall be treated in accordance with 29 CFR § 70.26. and that there be restricted access to the parties’ confidential agreement pursuant to 29 CFR § 18.56. The Court shall place the parties’ Settlement Agreement in a sealed envelope in a separate file and mark it as containing confidential information to avoid

improper disclosure pursuant to 29 CFR §§ 18.56 and 70.26.

Accordingly, it is hereby ORDERED:

1. The Settlement Agreement is **APPROVED**;
2. The Parties' request for confidential treatment of the Settlement Agreement is **APPROVED**.
3. The complaint is **DISMISSED WITH PREJUDICE**.
4. This constitutes the final order of the Secretary of Labor under 29 C.F.R. 1982.111(e).

SO ORDERED.

TIMOTHY J. McGRATH
Administrative Law Judge

Boston, Massachusetts