

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

Issue Date: 23 July 2014

CASE NO.: 2014-FRS-00095

In the Matter of:

SHEILA M. O'CONNELL,
Complainant,

v.

NATIONAL RAILROAD PASSENGER CORP. (AMTRAK),
Respondent.

**DECISION AND ORDER APPROVING SETTLEMENT
AND CANCELING HEARING**

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 July 16, 2014 but was continued generally pending settlement negotiations between the parties.

On July 22, 2014, the parties submitted a signed settlement agreement. Having been advised of the settlement amount and conditions, and having personally reviewed the settlement agreement for fairness to the *pro se* litigant, I find the provisions fair, adequate, and not contrary to public interest. Further, the settlement supports a finding that the complaint be dismissed with prejudice.

Accordingly, it is hereby ORDERED:

1. The Settlement Agreement is **APPROVED**;
2. The hearing is **CANCELLED**;
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