U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 09 November 2017

CASE NO.: 2016-FRS-00081

IN THE MATTER OF

SEAN DELZ
Complainant

v.

UNION PACIFIC RAILROAD COMPANY,
Respondent

DECISION AND ORDER APPROVING SETTLEMENT AGREEMENT AND DISMISSING WITH PREJUDICE

The above-captioned matter arises under the employee protection provisions of the Federal Rail Safety Act of 2007 ("FRS"), Title 49 United States Code Section 20109. On November 2, 2017, the Parties filed their signed "Settlement Agreement and Release of Claims" for approval.

I first note that the Parties were ably represented by counsel. Further, the Complainant's signature on the agreement represents his understanding of the agreement's provisions and the associated rights and obligations. Having reviewed the agreement, I find the provisions are fair, adequate, and not contrary to public interest or public policy. The settlement also supports a finding that the complaint be dismissed. Consequently, approval of the agreement is appropriate.

Accordingly, it is hereby **ORDERED** that the Settlement Agreement and Release of Claims is approved and the Complaint is **DISMISSED WITH PREJUDICE.**

So ORDERED.

LARRY W. PRICE
ADMINISTRATIVE LAW JUDGE