



Issue Date: 19 December 2018

OALJ Case No.: 2017-FRS-00105
OHSA Case No.: 5-2700-17-005

In the Matter of:

DOUGLAS CROSS,
Complainant,

v.

GRAND TRUNK RAILROAD CO,
Respondent.

DECISION AND ORDER APPROVING SETTLEMENT

This case arises under the Federal Railroad Safety Act, 49 U.S.C. § 20109 (the "Act"), and its implementing regulations at 29 C.F.R. § 1982. The parties reached a voluntary resolution and filed proposed settlement papers on June 5, 2018. The settlement requires the approval of the presiding administrative law judge. 29 C.F.R. § 1982.111(d)(2).

My review of the settlement agreement is limited to a determination of whether its terms are fair, adequate and reasonable.¹ The settlement terms must adequately protect the whistleblower and must not be contrary to the public interest. After a thorough review of the agreement, I find the terms are fair, adequate and reasonable as they adequately protect the whistleblower and are not contrary to public interest.

In light of the foregoing, it is hereby **ORDERED** that the settlement agreement submitted in this matter is **APPROVED** pursuant to 29 C.F.R. § 1982.111(d)(2). Upon completion of the terms set forth in the settlement agreement the file of OSHA No. 5-2700-17-005 shall be closed, subject to the limitations of the Act.

¹ *Anderson v. Schering Corp.*, ARB No. 10-070, ALJ No. 2010-SOX-7, slip op. at 3 & n. 8 (Jan. 31, 2011).

I commend all of the representatives in this matter for their superb representation of their clients and for showing great wisdom in finding a resolution that best fits the facts and circumstances of this case.

SO ORDERED.

WILLIAM S. COLWELL

Associate Chief Administrative Law Judge

Washington, D.C.

WSC/dce