



Issue Date: 29 August 2017

CASE NO. 2017-FRS-00056

In the Matter of

RONALD H. DANIEL,
Complainant,

v.

UNION PACIFIC RAILROAD COMPANY,
Respondent.

**ORDER APPROVING WITHDRAWAL
OF OBJECTIONS TO OSHA FINDINGS
AND DISMISSING CLAIM**

After investigation under the Federal Rail Safety Act, 49 U.S.C. § 20109, the Occupational Safety & Health Administration dismissed Complainant's complaint on the merits on April 28, 2017 ("Secretary's Findings"). Complainant requested a hearing *de novo* before an administrative law judge. This case followed.

Acting through counsel, on August 23, 2017, Complainant filed a request to withdraw his objections to the OSHA's Secretary's Findings. I have reviewed Complainant's request pursuant to 29 C.F.R. § 1982.111(c), and APPROVE the withdrawal of Complainant's objections and DISMISS this case.¹ Accordingly, this matter is DISMISSED, and OSHA's Secretary's Finding's (April 28, 2017) are the final order of the Secretary.

SO ORDERED.

STEVEN B. BERLIN
Administrative Law Judge

¹ I am assuming that Complainant's withdrawal is not based on a settlement. If the parties have settled, this Order is void *ab initio*. Parties must submit any settlement to the administrative law judge for approval. See 29 C.F.R. § 1982.111(c). Any settlement lacking the administrative law judge's approval is unenforceable.

