



**Issue Date: 27 November 2017**

CASE NO.: 2017-FRS-00103

*In the Matter of:*

STEPHANIE RAY,  
Complainant,

vs.

UNION PACIFIC RAILROAD COMPANY,  
Respondent.

**DECISION AND ORDER APPROVING SETTLEMENT AND DISMISSING CASE**

This case arises under the whistleblower protection provisions of the Federal Railroad Safety Act, 49 U.S.C. § 20109. It was scheduled for hearing before me in Long Beach, California on May 8, 2018. On November 14, 2017, Claimant filed a letter reporting that the parties had reached a settlement, along with an unsigned copy of the settlement agreement. On November 15, 2017, I vacated the May 8, 2018, hearing and ordered the parties to submit the executed settlement for my review and approval by December 7, 2017. On November 20, 2017, the parties filed a signed copy of the agreement.<sup>1</sup>

Under 29 C.F.R. § 1982.111(d)(2), “[a]t any time after the filing of objections to the Assistant Secretary’s findings and/or order, the case may be settled if the participating parties agree to a settlement and the settlement is approved by the ALJ if the case is before the ALJ...A copy of the settlement will be filed with the ALJ...” Once the settlement is filed and approved, it becomes the final order of the Secretary. 29 C.F.R. § 1982.111(e).

After reviewing the settlement agreement, I find that it appears to be reasonable, adequate and not the result of duress. Accordingly, the settlement agreement is hereby APPROVED. The settlement agreement shall be the final order of the Secretary. The parties are ORDERED to implement the terms of the approved settlement agreement which are incorporated by reference

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<sup>1</sup> The parties forgot to fill in the date of the settlement on its first page. Based on the signatures, the settlement was entered into on November 17, 2017.

into this Decision and Order. It is further ORDERED that this case is DISMISSED with prejudice.

JENNIFER GEE  
Administrative Law Judge