



**Issue Date: 07 May 2018**

**CASE NO.: 2017-FRS-00020**

**IN THE MATTER OF**

**ELTON RUBEN,  
Complainant**

**v.**

**CANADIAN NATIONAL-ILLINOIS CENTRAL RAILWAY,  
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 May 3, 2018, the Parties filed their signed “Settlement Agreement, Receipt and Unconditional Release of Claims” for approval.

I first note that the Parties were ably represented by counsel. I have read the Settlement and Release signed by the parties and find that the settlement is fair, adequate and reasonable. I approve the Settlement Agreement as set forth and find that dismissal, with prejudice, is appropriate. After review, it is determined that the Settlement Agreement is fair and reasonable on its face and effectuates the purposes and policies of the Act.

The ALJ notes that the parties’ submissions, including the Settlement Agreement becomes part of the record of the case and are subject to the Freedom of Information Act (FOIA), 5 U.S.C.A. § 522. The Department of Labor’s regulations provide specific procedures for responding to FOIA requests and will be followed accordingly.

ACCORDINGLY, it is hereby **ORDERED** that:

1. The “Settlement Agreement, Receipt and Unconditional Release of Claims” is **APPROVED**;
2. The complaint is **DISMISSED WITH PREJUDICE**.

**SO ORDERED.**

**LARRY W. PRICE**  
**ADMINISTRATIVE LAW JUDGE**