

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 16 November 2017

Case No.: 2017-FRS-00035

In the Matter of

RICHARD SAVAGE
Complainant

v.

NORFOLK SOUTHERN RAILWAY CORPORATION
Respondent

FINAL ORDER OF DISMISSAL

In March 2017, this matter was docketed for a hearing before the United States Department of Labor, Office of Administrative Law Judges (“OALJ”) pursuant to the Federal Railroad Safety Act (FRSA), 49 U.S.C. § 20109 and the implementing regulations at 29 C.F.R. Part 1982. Complainant, Michael Savage, filed a complaint with the Occupational Safety and Health Administration (“OSHA”) under the employee protection provisions of FRSA in which he alleged that Respondent, Norfolk Southern Railway Corporation terminated his employment on June 30, 2016 in reprisal for his failing to report his February 16, 2016 knee injury until 15 days after the injury and for providing misleading information about the work accident. Dissatisfied with OSHA’s determination to dismiss the complaint, Complainant filed his objection and request for hearing before the OALJ.

The parties are represented by counsel.

On November 15, 2017, through counsel, the parties filed a Confidential Settlement And Final Release (“Agreement”) which has been approved by separate Order.

Based on the Agreement, this matter is **DISMISSED**, with prejudice. In accordance with 29 C.F.R. § 24.111, this action constitutes the Secretary’s Final Order.

SO ORDERED.

LYSTRA A. HARRIS
Administrative Law Judge

Cherry Hill, New Jersey