



Issue Date: 31 January 2012

CASE NO.: 2012-CFP-00001

IN THE MATTER OF

**HISHAAM MAHOOD,
Complainant**

v.

**ADVANCED MICRO DEVICES,
Respondent**

ORDER OF DISMISSAL

The above referenced matter arises upon a complaint filed with the Occupational Safety and Health Administration, U.S. Department of Labor, by Hishaam Mahmood, Complainant. Complainant asserts that he was discharged from employment on June 9, 2011, as a result of engaging in activities which are protected pursuant to the provisions of the Consumer Financial Protection Act of 2010, Section 1057 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, 12 U.S.C.A. § 5567. (The Act). By letter dated November 28, 2011, Complainant appealed the findings of OSHA dismissing his complaint.

Pursuant to the Act, OALJ jurisdiction over whistleblower claims under the Act became effective on the “designated transfer date” which was set as of July 21, 2011. Thus, OALJ has no jurisdiction over a complaint under the Act that alleges protected activity and adverse employment actions that occurred prior to July 21, 2011. *See Rosadillo v. Union Pacific Railroad Co.*, ARB No 10-085 (October 31, 2011). Nothing in the record of this matter indicates that the alleged violation of the Act occurred on or after July 21, 2011.

On December 7, 2011, the Court issued an Order to Show Cause as to why this matter should not be dismissed for lack of jurisdiction. By letter dated January 4, 2012, Complainant advised the Court that he does not object to the dismissal of the complaint.

Accordingly, the complaint of Hishaam Mahood is hereby **DISMISSED WITH PREJUDICE.**

So ORDERED.

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**LARRY W. PRICE
ADMINISTRATIVE LAW JUDGE**

NOTICE OF REVIEW

NOTICE: Review of this Decision and Order is by the Administrative Review Board pursuant to ¶ 5.c.(48) of Secretary's Order 01-2010, Delegation of Authority and Responsibility to the Administrative Review Board, 75 Fed. Reg. 3924 (Jan. 25, 2010) (effective Jan. 15, 2010). Regulations, however, have not yet been promulgated by the Department of Labor detailing the process for review by the Administrative Review Board of decisions by Administrative Law Judges under the employee protection provision of the Consumer Financial Protection Act of 2010, Section 1057 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, 12 U.S.C.A. §5567. Accordingly, this Decision and Order and the administrative file in this matter will be forwarded for review by the Administrative Review Board, U.S. Department of Labor, Suite S-5220, 200 Constitution Avenue, NW, Washington DC 20210. Since procedural regulations have not yet been promulgated, it is suggested that any party wishing to appeal this Decision and Order should also formally submit a Petition for Review with the Administrative Review Board.