



Issue Date: 12 September 2011

CASE NO.: 2011-FRS-13

IN THE MATTER OF

**RICKEY DANIEL,
Complainant**

v.

**NORFOLK SOUTHERN RAILWAY COMPANY,
Respondent**

**ORDER APPROVING WITHDRAWAL OF OBJECTIONS TO
ASSISTANT SECRETARY'S FINDINGS**

This proceeding arises pursuant to a complaint alleging violations under the employee protective provisions of the Federal Rail Safety Act (FRSA), 49 U.S.C. § 20109. The Secretary of Labor is empowered to investigate and determine "whistleblower" complaints filed by employees who are allegedly discharged or otherwise discriminated against by Employers with regard to their terms and conditions of employment for taking any action relating to the fulfillment of safety or other requirements established by the above Act.

On 29 Aug 11, Complainant filed a request to withdraw his objections to the Assistant Secretary's findings, which were issued on 1 Mar 11. I have reviewed Complainant's request pursuant to 29 C.F.R. § 1982.111(c), and hereby **APPROVE** the withdrawal of Complainant's objections and **DISMISS** this case. Accordingly, the findings of the Assistant Secretary are the final order of the Secretary.

So ORDERED.

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**PATRICK M. ROSENOW
Administrative Law Judge**