



Issue Date: 02 May 2012

CASE NO.: 2011-FRS-00005

In the Matter of:

MARK L. JENSEN,
Complainant,

vs.

UNION PACIFIC RAILROAD COMPANY,
Respondent.

DECISION AND ORDER APPROVING SETTLEMENT

This matter arises under the employee protection provision of the Federal Rail Safety Act, 49 U.S.C. § 20109, and its implementing regulations found at 29 C.F.R. Part 1982. On April 11, 2012, the parties submitted a Settlement Agreement. On April 23, they submitted a substitute first page, which is hereby incorporated into the originally-filed agreement.

The regulations permit voluntary settlements if the administrative law judge approves; in such cases, the approved settlement constitutes the final order of the Secretary and may be enforced as such. 29 C.F.R. §§ 1982.111, 1982.113.

I have carefully reviewed the terms of the Agreement and find the Agreement is fair, adequate, and voluntary.

ORDER

The Settlement Agreement is APPROVED, the parties will comply with its provisions forthwith, and the Complaint is DISMISSED with prejudice.

A

STEVEN B. BERLIN
Administrative Law Judge