

U.S. Department of Labor

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Issue Date: 14 March 2013

CASE NO.: 2012-FRS-2

TONY TSOSIE,
Complainant

v.

UNION PACIFIC RAILROAD COMPANY,
Respondent

ORDER APPROVING SETTLEMENT AGREEMENT

This proceeding arises from a complaint filed by Tony Tsosie, Sr. against the Union Pacific Railroad Company under the employee protection provisions of the Federal Rail Safety Act, 49 U.S.C. § 20109, as amended by § 1521 of the Implementing Recommendations of the 9/11 Commission Act of 2007, Pub. Law No. 110-53. On March 8, 2013, the parties filed a Settlement Agreement intended to resolve this matter without further litigation. The Settlement Agreement is signed by the Complainant and Complainant's attorney. A review of the terms of the Settlement Agreement pursuant to the requirements of the Act and the implementing regulations shows that it constitutes a fair, adequate and reasonable settlement of the complaint. *Hoffman v. Fuel Economy Contracting, 1987-ERA-33 (Sec'y Aug. 4, 1989).*

ORDER

ACCORDINGLY, it is hereby ORDERED that:

1. The Settlement Agreement is APPROVED; and
2. The docket is marked as closed and discontinued.

THOMAS M. BURKE
Administrative Law Judge