



Issue Date: 19 March 2014

CASE NO.: 2013-FRS-00023

IN THE MATTER OF

**DUSTIN DILLARD,
Complainant**

v.

**NORFOLK SOUTHERN
RAILWAY COMPANY,
Respondent**

ORDER APPROVING SETTLEMENT AND DISMISSING COMPLAINT

This proceeding arises from the “whistleblower” protection provisions under the Federal Rail Safety Act, 49 U.S.C. § 20109, as amended by Section 1521 of the Implementing Recommendations of the 9/11 Commission Act of 2007, Pub. L. 110-53, 121 Stat 266 (Aug. 3, 2007). The FRSA prohibits covered employers from discharging, demoting, suspending, reprimanding, or in any other way discriminating against an employee for engaging in certain protected activities related to the terms and conditions of his employment.

On March 14, 2014, the parties filed a Settlement Agreement with this Court. The agreement settles all issues before me regarding Complainant’s Complaint against Respondent under the FRSA.

Pursuant to 29 C.F.R. § 1982.111(d)(2), the Settlement Agreement is **APPROVED**. Pursuant to the Settlement Agreement, the Complaint in this matter, ALJ Case No. 2013-FRS-00023 and OSHA Case No. 6-0150-11-106, is hereby **DISMISSED** with prejudice.

SO ORDERED this 19th day of March, 2014, at Covington, Louisiana.

**CLEMENT J. KENNINGTON
Administrative Law Judge**