

**U.S. Department of Labor**

Office of Administrative Law Judges  
90 Seventh Street, Suite 4-800  
San Francisco, CA 94103-1516

(415) 625-2200  
(415) 625-2201 (FAX)



**Issue Date: 14 February 2013**

CASE NO.: 2013-FRS-00011

*In the Matter of:*

STEPHEN C. HALEY,  
Complainant,

v.

UNION PACIFIC RAILROAD COMPANY,  
Respondent.

**ORDER APPROVING SETTLEMENT**

This case arises under the Federal Rail Safety Act ("FRSA"), which provides whistleblower protections to railroad employees for engaging in certain protected activities. 49 U.S.C. § 20109, as amended by Section 1521 of the Implementing Recommendations of the 9/11 Commission Act of 2007, Pub. L. No. 110-53. On February 7, 2013, the parties submitted "Respondent's Unopposed Motion to Approve Settlement Agreement" and a signed Settlement Agreement, which resolves all issues raised in the Complaint, for review and approval by the undersigned administrative law judge. The Motion and attached Settlement Agreement are incorporated herein by reference.

My review of the settlement agreement is limited to a determination of whether its terms are fair, adequate and reasonable. The settlement must adequately protect the whistleblower. Furthermore, the settlement must not be contrary to the public interest.

After careful consideration of the settlement agreement, I find that none of the terms or conditions are unacceptable. Moreover, I find the terms of the agreement to be fair and reasonable and adequately protect Mr. Haley. Furthermore, I believe it is in the public interest to approve the agreement as a basis for administrative disposition of this case and I therefore approve the settlement agreement.

Accordingly, this case is **DISMISSED** with prejudice.

The hearing scheduled for May 21, 2013 is hereby **VACATED**.

RUSSELL D. PULVER  
Administrative Law Judge