



Issue Date: 14 July 2015

CASE NO.: 2013-FRS-00019

IN THE MATTER OF

DANIEL LEIVA
Complainant

v.

UNION PACIFIC
RAILROAD COMPANY, INC.
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 July 6, 2015, 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-00019 and OSHA Case No. 6-2450-12-083, is hereby **DISMISSED** with prejudice.

SO ORDERED this 14th day of July, 2015, at Covington, Louisiana.

CLEMENT J. KENNINGTON
ADMINISTRATIVE LAW JUDGE