



Issue Date: 19 April 2010

CASE NO.: 2010-STA-00027

In the Matter of

ROQUE LACHICA
Complainant,

v.

TRANS-BRIDGE LINES
Respondent.

RECOMMENDED DECISION AND ORDER
OF DEFERRAL AND DISMISSAL

Pending is Respondent's motion to defer to the decision of arbitration entered on March 31, 2010 denying Complainant's grievance against Respondent. That decision denied Complainant's grievance and found that Respondent had just cause to discharge Complainant.

Complainant responded to such motion by letter dated April 13, 2010.

Upon review and careful scrutiny of the transcript of arbitration hearing held on January 5, 2010 along with the decision of the arbitrators dated March 31, 2010, I find that it is clear that these proceedings dealt adequately with all factual issues, that such proceedings were fair, regular, and free of procedural infirmities, and that the outcome thereof was not repugnant to the purpose and policy of 49 U. S. C. 31105. Accordingly, it is hereby

ORDERED, that pursuant to 29 CFR 1978.112 (c), deference is given to the outcome of such arbitration decision, and the complaint filed herein is DISMISSED.

IT IS FURTHER ORDERED that the hearing scheduled for May 10, 2010 in Philadelphia, Pennsylvania is CANCELED.

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Ralph A. Romano
Administrative Law Judge

Cherry Hill, New Jersey

NOTICE OF REVIEW: The administrative law judge's Recommended Decision and Order, along with the Administrative File, will be automatically forwarded for review to the Administrative Review Board, U.S. Department of Labor, Suite S-5220, 200 Constitution Avenue, NW, Washington, DC 20210. *See* 29 C.F.R. § 1978.109(a); Secretary's Order 1-2002, ¶4.c.(35), 67 Fed. Reg. 64272 (2002).

Within thirty (30) days of the date of issuance of the administrative law judge's Recommended Decision and Order, the parties may file briefs with the Board in support of, or in opposition to, the administrative law judge's decision unless the Board, upon notice to the parties, establishes a different briefing schedule. *See* 29 C.F.R. § 1978.109(c)(2). All further inquiries and correspondence in this matter should be directed to the Board.