



Issue Date: 20 July 2016

Case No.: 2015STA00029

In the Matter of:

ALBERT PURSER,
Complainant,

v.

D.E. TRANSPORTATION, INC.,
and JONATHON PINTADO,
Respondents.

DECISION AND ORDER APPROVING SETTLEMENT

This proceeding arises from a claim of whistleblower protection under the Surface Transportation Assistance Act (STAA), as amended.¹ On July 11, 2016, the Complainant submitted an “Unopposed Motion to Approve Settlement and to Dismiss Proceeding and Complaint with Prejudice,” accompanied by a “Settlement Agreement and Release of Claims” signed by the Complainant and the Respondents for review and approval.

My review of the Settlement Agreement is limited to a determination of whether its terms are fair, adequate and reasonable under the STAA. *See Poulos v. Ambassador Fuel Oil Co.*, No. 91-ERA-25, slip op. at 2 (Sec’y of Labor, Nov. 4, 1991). The settlement must adequately protect the whistleblower. Furthermore, the settlement must not be contrary to public interest. Both parties are represented by counsel in this case. Upon review, I find the settlement to be fair, adequate and reasonable. I therefore approve the Settlement Agreement.

IT IS THEREFORE ORDERED that the Settlement Agreement submitted by the parties is **APPROVED**. In accordance with the terms of the settlement, the complaint is **DISMISSED WITH PREJUDICE**. In accordance with the regulations, the settlement constitutes the final order of the Secretary of Labor and may be enforced under 29 C.F.R. § 1978.113 (2015).

Alice M. Craft
Administrative Law Judge

¹ 49 U.S.C. § 31105 (2014).