



Issue Date: 29 November 2016

Case No.: 2016-STA-46

In the matter of:

LINDA L. CHAVEZ,
Claimant,

v.

TRANSPORTATION OF AMERICA, INC.,
DBA TRANSPORT AMERICA, et al,
Employer.

**DECISION AND ORDER APPROVING SETTLEMENT
AND CANCELLING HEARING**

This case arose under the whistleblower protection provisions of the Surface Transportation Assistance Act (“STAA”), 49 U.S.C. § 31105. On June 7, 2016, I issued an Order setting this matter for formal hearing in St. Paul, Minnesota on March 7, 2017.

On November 28, 2016, counsel submitted for my review a signed “Settlement Agreement and Mutual General Release”. This Settlement Agreement has been signed by the Complainant and her counsel.

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

After careful consideration of the Settlement Agreement and Mutual General Release, I find that the terms and conditions are acceptable. I find the terms of the agreement to be fair, adequate, and reasonable under the STAA, and that the terms adequately protect the Complainant. Furthermore, I believe it is in the public interest to approve the Settlement Agreement and Mutual General Release as a basis for administrative disposition of this case, and I therefore approve the Settlement Agreement and Mutual General Release.

IT IS THEREFORE ORDERED that the Settlement Agreement and Mutual General Release submitted by the parties is **APPROVED**. 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. § 1982.113 (2012).

IT IS FURTHER ORDERED that the hearing set for March 7, 2017, in St. Paul, Minnesota is **CANCELLED**.

Steven D. Bell
Administrative Law Judge