

U.S. Department of Labor

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Issue Date: 11 October 2019

Case No.: 2019-STA-00028

In the Matter of:

TORIANO BURNEY
Complainant

v.

P.A.M. TRANSPORTATION INC., ET AL.
Respondents

ORDER APPROVING SETTLEMENT AND DISMISSING COMPLAINT

This matter arises from the complaint of unlawful retaliation filed by Toriano Burney (“Complainant”) against P.A.M. Transportation Inc. (“Respondent”), and employees thereof, under the employee protection provisions of Section 405 of the Surface Transportation Assistance Act of 1982 (the “Act”), as amended, 49 U.S.C. § 31105 (formerly 49 U.S.C. § 2305), and its implementing regulations, 29 C.F.R. part 1978.

On October 2, 2019, Complainant filed an Unopposed Motion to Approve Settlement and Dismiss Proceeding With Prejudice. In the motion, Complainant indicates the parties have settled this matter, and the settlement is fair, adequate, and reasonable. Complainant also submitted a copy of the settlement agreement for approval in accordance with 29 C.F.R. § 1978.111(d)(2). The agreement is signed by Complainant and by Respondent’s Vice President, as well as counsel for both parties.

I have reviewed the settlement agreement, and I find it is fair and reasonable. It is not contrary to the public interest, and it was not procured under duress. Accordingly, pursuant to 29 C.F.R. § 1978.111(d)(2), I **APPROVE** the settlement agreement.

In light of my approval of the parties’ settlement agreement, I **GRANT** Complainant’s motion, and I **DISMISS** the complaint.

SO ORDERED.

LAUREN C. BOUCHER
Administrative Law Judge

Cherry Hill, New Jersey

