

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 30 January 2020**

CASE NO. 2019-STA-63

*In the Matter of:*

**ARTHUR GARLITZ,**  
Complainant

v.

C.R. ENGLAND, INC.,  
Respondent

**ORDER APPROVING SETTLEMENT AND RELEASE OF ALL CLAIMS**

This matter involves a complaint filed under the employee protection provisions of the Surface Transportation Assistance Act (STA), 49 U.S.C. § 31105, and its implementing regulations at 29 C.F.R. Part 1978. On December 10, 2019 I received the parties' Notice of Settlement in the above-captioned matter. The parties successfully mediated the matter with the Honorable Patricia J. Daum and submitted the unsigned Settlement Agreement attached to the Notice of Settlement for my approval at that time. On January 28, 2020, I received the parties' signed Settlement Agreement and Release of All Claims.

Pursuant to 29 C.F.R. § 1978.111(d)(2) and 29 C.F.R. § 18.71, I must approve the Settlement Agreement. In reviewing the Settlement Agreement, the Administrative Law Judge (ALJ) must determine whether the terms of the Agreement fairly, adequately and reasonably settle the Complainant's allegations that Respondent violated the STAA and are not against public policy. *See, Edmisten v. Ray Thomas Petroleum*, No. 10-020, 2009 WL 5178504 (ARB Dec. 16, 2009). Once the settlement agreement is approved, it becomes the final action of the Secretary and may be enforced pursuant to 29 C.F.R. § 1978.111(e).

I have reviewed the administrative record and the Settlement Agreement and Release of All Claims, executed by the parties. Based on my review, I find the Settlement Agreement and Release to be fair, reasonable and adequate and have determined that it constitutes a fair, adequate and reasonable settlement of the Complaint and is in the public interest. The parties also knowingly and voluntarily entered into the Agreement. Thus, the Settlement Agreement and Release of all Claims, complies with the standards required under the STAA and is **APPROVED**.

Accordingly, it is **ORDERED** that:

1. The parties Settlement Agreement and Release of all Claims is **APPROVED**; and
2. The Complaint is hereby **DISMISSED WITH PREJUDICE**.

**SO ORDERED.**

**NATALIE A. APPETTA**  
Administrative Law Judge