

**UNITED STATES DEPARTMENT OF LABOR**  
**OFFICE OF ADMINISTRATIVE LAW JUDGES**  
**Cherry Hill, New Jersey**

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**Issue Date: 08 February 2023**

Case No.: 2022-STA-00065

In the Matter of:

**PABLO RIVERA,**  
Complainant

v.

**UNIVAR USA, INC.,**  
Respondent

**ORDER APPROVING SETTLEMENT AND DISMISSING COMPLAINT**

This matter arises from the complaint of unlawful retaliation filed by Pablo Rivera (“Complainant”) against Univar USA Inc. (“Respondent”) under the Surface Transportation Assistance Act, 49 U.S.C. § 31105 (“STAA”), and its implementing regulations, 29 C.F.R. part 1978. A videoconference hearing is scheduled for April 12, 2023, before the Office of Administrative Law Judges (“OALJ”).

On February 6, 2023, Complainant submitted an Unopposed Motion to Approve Settlement and Dismiss Proceeding with Prejudice. The parties also submitted an executed settlement agreement for approval in accordance with 29 C.F.R. § 1978.111(d)(2). The settlement agreement is signed by Complainant and by Respondent’s counsel.<sup>1</sup>

I have reviewed the agreement, and I find it is a fair and reasonable settlement of the STAA complaint.<sup>2</sup> The agreement 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, I **CANCEL** the hearing scheduled for April 12, 2023, and I **DISMISS** the complaint with prejudice.

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<sup>1</sup> The settlement agreement is labeled “Confidential Settlement Agreement and General Release of Claims.” In the event that a request is made for access to the settlement agreement under the Freedom of Information Act (“FOIA”), the Department of Labor will provide the parties with pre-disclosure notification and an opportunity to respond before any disclosure is made. *See* 29 C.F.R. § 70.26. The pre-disclosure notice procedure does not constitute a finding that the settlement agreement, or any portion thereof, will be exempt from disclosure under FOIA. *See* 29 C.F.R. § 70.26(f).

<sup>2</sup> The Agreement contains a broad release of liability for claims arising under various federal and state laws unrelated to the STAA. My authority is limited to the statutes within OALJ’s jurisdiction. Therefore, my review and approval of the agreement is limited to the terms of the agreement pertaining to Complainant’s STAA claim. *See Mann v. Schwan’s Food Co.*, ARB No. 09-017 (Dec. 31, 2008).

**SO ORDERED.**

**LAUREN C. BOUCHER**  
Administrative Law Judge

Cherry Hill, New Jersey