

UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES
Newport News, VA

Issue Date: 04 December 2023

CASE NO.: 2023-STA-00042

In the Matter of:

WILLIAM CLAYTON BALLENTINE,
Complainant,

v.

EPES TRANSPORT SYSTEM LLC,
CHUCK BUCHANAN,
DEREK McCALL,
Respondents.

ORDER APPROVING SETTLEMENT

This proceeding arises out of complaint filed under the employee protection provisions of the Surface Transportation Assistance Act (STAA), 49 U.S.C. § 31105. On November 28, 2023, Complainant filed an executed General Release and Waiver Agreement.

If the parties agree to settle the case, the settlement must be approved by the administrative law judge. 29 C.F.R. § 1978.111(d). Upon review of the General Release and Waiver Agreement, I find that the terms of the settlement are fair, adequate, and

reasonable, and do not contravene the public interest.¹ Therefore, the parties' settlement agreement will be approved.

Accordingly, IT IS ORDERED that the parties' General Release and Waiver Agreement is APPROVED; and the parties are directed to carry out its terms.

¹ As part of the settlement, the parties agreed Complainant waived claims under various laws, such as Title VII of the Civil Rights Act, the Employment Retirement Income Security Act, the Equal Pay Act, the Family and Medical Leave Act, and the North Carolina Retaliatory Employment Discrimination Act, among others. My authority is limited to the approval of a settlement under the STAA. In approving the parties' settlement agreement, I do not endorse the legality of the waiver and release of claims arising under other statutes.

SO ORDERED.

PAMELA A. KULTGEN
Administrative Law Judge

PAK/PML/jcb
Newport News, Virginia