



In the Matter of:

RICK JACKSON,

ARB CASE NO. 05-159

COMPLAINANT,

ALJ CASE NO. 2005-STA-48

v.

DATE: October 28, 2005

5 R PROCESSORS, LTD.,

RESPONDENT.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

**FINAL DECISION AND ORDER
APPROVING SETTLEMENT AGREEMENT**

Pursuant to § 31105(b) of the Surface Transportation Assistance Act of 1982, 49 U.S.C.A. (West 1997) (STAA), and its implementing regulations, Rick Jackson filed a complaint with the Labor Department alleging that 5 R Processors, Ltd., violated STAA's prohibition on whistleblower retaliation when it fired him on March 9, 2005. Before a hearing on Jackson's complaint commenced, Jackson and 5 R Processors reached a settlement agreement. A Labor Department Administrative Law Judge (ALJ) issued a Recommended Decision and Order (R. D. & O.) approving the settlement agreement.

We automatically review R. D. & O.s in STAA cases pursuant to 29 C.F.R. § 109(c). On October 4, 2005, we issued a Notice of Review and Briefing Schedule affording the parties an opportunity to file briefs in opposition to or in support of the R. D. & O. in this case. On October 11, 2005, we received a letter from complainant Jackson stating that both parties agree with the settlement and requesting that the Board issue the final decision in this case as soon as possible.

The settlement agreement consists of two documents that the ALJ attached to and incorporated into the Recommended Order. R. D. & O. at 2. The agreement purports to

resolve both Jackson's STAA complaint against 5 R Processors and any claims he might have against 5 R under other state and federal laws. Our jurisdiction in this case is limited to Jackson's § 31105 complaint. We find the agreement to be fair and equitable insofar as it resolves Jackson's STAA complaint. Accordingly, we approve the agreement insofar as it resolves Jackson's STAA complaint, and we **DISMISS** the complaint.

SO ORDERED.

M. CYNTHIA DOUGLASS
Chief Administrative Appeals Judge

OLIVER M. TRANSUE
Administrative Appeals Judge