



**In the Matter of:**

**STEPHEN W. DALE,**  
**COMPLAINANT,**

**v.**

**STEP 1 STAIRWORKS, INC.,**  
**RESPONDENT.**

**ARB CASE NO. 05-142**  
**06-057**

**ALJ CASE NO. 2002-STA-30**

**DATE: September 28,2006**

**BEFORE: THE ADMINISTRATIVE REVIEW BOARD**

**Appearances:**

*For the Complainant:*

**Diana Brodman Summers, Lisle, Illinois**

*For the Respondent:*

**Greg Andrews, Andrews Koehler & Passarelli, P.C., Hinckley, Illinois**

**FINAL DECISION AND ORDER APPROVING SETTLEMENT  
AND DISMISSING COMPLAINT WITH PREJUDICE**

This case is on appeal before the Administrative Review Board under the employee protection provisions of the Surface Transportation Assistance Act (STAA) of 1982, as amended.<sup>1</sup> On September 7, 2006, the Respondent's counsel submitted to the Board a Settlement Agreement and General and Specific Release signed by the Complainant, Stephen W. Dale, and the Respondent, Step 1 Stairworks.

Under the STAA's implementing regulations, the parties may settle a case at any time after the filing of objections to the Assistant Secretary's preliminary findings "if the

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<sup>1</sup> 49 U.S.C.A. § 31105 (West 1997).

participating parties agree to a settlement and such settlement is approved by the Administrative Review Board . . . or the ALJ.”<sup>2</sup> The regulations direct the parties to file a copy of the settlement “with the ALJ or the Administrative Review Board, United States Department of Labor, as the case may be.”<sup>3</sup>

Our review of the settlement agreement reveals that it is intended to settle matters under laws other than the STAA.<sup>4</sup> Our authority to review settlement agreements is limited to the statutes within our jurisdiction and is defined by the applicable statutes.<sup>5</sup> Accordingly, to the extent that his agreement settles Dale’s STAA complaint, we **APPROVE** the Settlement Agreement and **DISMISS** Dale’s STAA complaint with prejudice.

**SO ORDERED.**

**OLIVER M. TRANSUE**  
**Administrative Appeals Judge**

**M. CYNTHIA DOUGLASS**  
**Chief Administrative Appeals Judge**

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<sup>2</sup> 29 C.F.R. § 1978.111(d)(2) (2005).

<sup>3</sup> *Id.*

<sup>4</sup> Settlement Agreement and General and Specific Release, para. 5, 6, 10.

<sup>5</sup> *Saporito v. GE Med. Sys.*, ARB No. 05-009, ALJ Nos. 03-CAA-1, 03-CAA-2, slip op. at 3 (ARB May 24, 2005).