

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 08 January 2004

CASE NO: 2004-LCA-9

IN THE MATTER OF

MARK J. WATSON
Complainant

v.

ELECTRIC DATA SYSTEMS CORPORATION
Respondent

DECISION ON MOTION FOR RECONSIDERATION

By Motion for Reconsideration received January 5, 2004, Complainant moved for reconsideration of the Summary Decision Denying Complainant's Request for Hearing dated December 29, 2003

Claimant's motion having been considered by the undersigned, it is determined that there is no compelling reason for alteration of the Decision and Order dated December 29, 2003. Claimant's Motion for Reconsideration is hereby ***DENIED.***¹

SO ORDERED this 8th day of January, 2004, at Metairie, Louisiana.

A

C. RICHARD AVERY
Administrative Law Judge

NOTICE OF APPEAL RIGHTS: This decision shall become the final order of the Secretary of Labor pursuant to 29 C.F.R. § 1980.110, unless a petition for review is timely filed with the

¹ Whether alleged violations are brought under 20 C.F.R. § 655.806 or §655.807, no hearing is available before the Office of Administrative Law Judges when the Administrator declines to investigate the complaint. The Office of Administrative Law Judges has no general jurisdiction over such matters.

Administrative Review Board ("Board"), US Department of Labor, Room S-4309, 200 Constitution Avenue, NW, Washington DC 20210, and within 30 days of the filing of the petition, the ARB issues an order notifying the parties that the case has been accepted for review. The petition for review must specifically identify the findings, conclusions or orders to which exception is taken. Any exception not specifically urged ordinarily shall be deemed to have been waived by the parties. To be effective, a petition must be filed within ten business days of the date of the decision of the administrative law judge. The date of the postmark, facsimile transmittal, or e-mail communication will be considered to be the date of filing; if the petition is filed in person, by hand-delivery or other means, the petition is considered filed upon receipt. The petition must be served on all parties and on the Chief Administrative Law Judge at the time it is filed with the Board. Copies of the petition for review and all briefs must be served on the Assistant Secretary, Occupational Safety and Health Administration, and on the Associate Solicitor, Division of Fair Labor Standards, U.S. Department of Labor, Washington, DC 20210. *See* 29 C.F.R. §§ 1980.109(c) and 1980.110(a) and (b), as found OSHA, Procedures for the Handling of Discrimination Complaints Under Section 806 of the Corporate and Criminal Fraud Accountability Act of 2002, Title VIII of the Sarbanes-Oxley Act of 2002; Interim Rule, 68 Fed. Reg. 31860 (May 29, 2003).