

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 30 June 2005

CASE NO.: 2005-STA-00031

In the matter of

JOHN F. MC ANDREWS
Complainant

v.

AIRBORNE EXPRESS
Respondent

DECISION AND ORDER APPROVING SETTLEMENT
AND DISMISSING CLAIM

This proceeding involves a complaint under the “whistleblower” employee protection provisions of Section 405 of the Surface Transportation Assistance Act of 1982 (the Act), as amended, 49 U.S.C. Section 31105 (formerly 49 U.S.C. § 2305), and its implementing regulations found at 29 C.F.R. Part 1978. Section 31105 of the Act provides protection from discrimination to employees who report violations of commercial motor vehicle safety rules or who refuse to operate a vehicle when the operation would be a violation of these rules.

On June 30, 2005, the parties submitted a Stipulation of Settlement and requested that this claim be dismissed with prejudice. Accordingly,

IT IS HEREBY ORDERED that the parties’ Stipulation of Settlement is approved and this claim is dismissed with prejudice.

A

PAUL H. TEITLER
Administrative Law Judge

Cherry Hill, New Jersey

