

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 25 October 2005

Case No.: 2005-ST A-15

In the Matter of

TED AYERS,
Complainant

vs.

RYDER SYSTEMS, INC.,
Respondent

**RECOMMENDED DECISION AND ORDER APPROVING
SETTLEMENT AGREEMENT**

This claim arises under the employee protection provisions of the Surface Transportation Act of 1982 (STAA), 49 U.S.C. §31105, and the implementing regulations of the Secretary of Labor published at 29 C.F.R. Part 1978, as a result of a complaint filed by Ted Ayers. The Order Rescheduling Hearing and Amended Pre-Hearing Order was issued on May 20, 2005, scheduling this matter for hearing on August 23, 2005, in Knoxville, Tennessee.

Complainant's counsel, Paul O. Taylor submitted an Unopposed Motion to Approve Settlement Agreement and Dismiss Proceeding With Prejudice attached with an original Settlement Agreement and Full and Final Release of All Claims on September 30, 2005 and received on October 6, 2005. The Settlement Agreement is complete and bears the signatures of the Complainant and an official of the Respondent. Upon review of the terms of the agreement and the case record, I find that the agreement is fair, adequate, and reasonable.

It is therefore ordered that the Settlement Agreement and Full and Final Release of All Claims is hereby **APPROVED**, and it is further ordered that the complaint be **DISMISSED** with prejudice to 29 C.F.R. §1978.1119(d)(2).

So ORDERED.

A

RICHARD D. MILLS
Administrative Law Judge

NOTICE OF REVIEW: The administrative law judge's Recommended Order Approving Settlement, along with the Administrative File, will be automatically forwarded for review to the Administrative Review Board, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210. See 29 C.F.R. §1978.109(a); Secretary's Order 1-2002, ¶4.c.(35), 67 Fed. Reg. 64272 (2002).

Within thirty (30) days of the date of issuance of the administrative law judge's Recommended Order Approving Settlement, the parties may file briefs with the Administrative Review Board ("Board") in support of, or in opposition to, the administrative law judge's order unless the Board, upon notice to the parties, establishes a different briefing schedule. See 29 C.F.R. § 1978.109(c)(2). All further inquiries and correspondence in this matter should be directed to the Board.