

CCASE:
SOL (MSHA) V. BROWN & ROOT
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Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges

SECRETARY OF LABOR	DISCRIMINATION PROCEEDING
MINE SAFETY AND HEALTH	
ADMINISTRATION (MSHA),	Docket No. WEST 83-95-DM
ON BEHALF OF	
DOUGLAS A. BURKE,	MSHA Case No. MD 82-95
COMPLAINANT	
v.	Colony Oil Shale Project
BROWN & ROOT, INC.,	
RESPONDENT	

DECISION APPROVING SETTLEMENT

Before: Judge Carlson

The parties have submitted a stipulation and settlement agreement which, if approved, will resolve all issues in this discrimination case.

Under the terms of the agreement, respondent, Brown and Root, Inc. (Brown and Root), agrees to pay to Douglas A. Burke the sum of \$7,500.00 for loss of back wages and all other expenses resulting from his discharge. Brown and Root further agrees to expunge from complainant's employment record any adverse references relating to his discharge.

Complainant, in turn, relinquishes any claim to reinstatement to the job he held prior to his discharge.

The parties agree that approval of these terms will fully settle all issues raised in the case.

Having reviewed the file and considered all the circumstances, I conclude that the settlement should be approved.

Accordingly, the agreement of the parties is approved in its entirety.

Brown and Root shall therefore tender to Douglas A. Burke through the United States Department of Labor, 1585 Federal Building, 1961 Stout Street, Denver, Colorado 80294, the sum of \$7,500.00. The sum shall be paid within 30 days of this present

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order. Brown and Root shall further, within that same time period, expunge from the employment record of Douglas A. Burke any adverse references to his discharge.

In view of this settlement, this discrimination proceeding is dismissed.

SO ORDERED.

John A. Carlson
Administrative Law Judge