

**FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION**

OFFICE OF ADMINISTRATIVE LAW JUDGES  
601 New Jersey Avenue, N.W., Suite 9500  
Washington, DC 20001

November 17, 2003

EDDIE M. JEANLOUIS, SR.,	:	DISCRIMINATION PROCEEDING
Complainant	:	
	:	Docket No. CENT 2002-279-DM
v.	:	SC MD 2002-04
	:	
MORTON INTERNATIONAL,	:	Weeks Island Mine & Mill
Respondent	:	Mine ID 16-00970

**SUPPLEMENTAL DECISION**

**AND**

**FINAL ORDER APPROVING SETTLEMENT**

Appearances: Toni K. Jeanlouis, St. Martinsville, Louisiana, for the Complainant;  
Willa B. Perlmutter, Esq., Patton Boggs, LLP, Washington, DC for the Respondent.

Before: Judge Feldman

This case is before me based on a discrimination complaint filed pursuant to section 105(c)(3) of the Federal Mine Safety and Health Act of 1977, as amended, 30 U.S.C. § 815(c)(3) (1994) (the “Act”), by Eddie M. Jeanlouis, Sr., against Morton International (“Morton”). This discrimination proceeding concerns Jeanlouis’ March 23, 2001, two week suspension without pay. Jeanlouis seeks to recover lost wages and related expenses.

Following an evidentiary hearing, it was determined that Morton’s suspension of Jeanlouis violated section 105(c) of the Act. *Decision on Liability*, 25 FMSHRC 536 (Sept. 2003) (ALJ). In the initial liability decision, the parties were directed to agree on the specific relief that should be awarded, or, alternatively, to file documentation in support of their separate proposals for relief. *Id.* at 548-49. After several telephone conferences, the parties advised that they had reached a settlement agreement. On November 13, 2003, Morton filed a Motion to Approve Settlement.

The settlement provisions include Morton’s waiver of its right to appeal the *Decision on Liability*, Jeanlouis’ withdrawal of his discrimination complaint, and other confidential provisions concerning consideration and the release of claims. I have reviewed the settlement terms and I conclude the parties’ agreement is reasonable and in the public interest.

**ACCORDINGLY**, the parties' motion for approval of settlement **IS GRANTED**. Pursuant to the parties' agreement, the terms and conditions of the settlement **ARE DECLARED CONFIDENTIAL**. The settlement **IS ORDERED PLACED UNDER SEAL** subject to review only by the Commission or other appellate body. In view of the settlement, this discrimination matter **IS DISMISSED**.

Jerold Feldman  
Administrative Law Judge

Distribution: (Certified Mail)

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/hs