

**U.S. Department of Labor**

**Administrative Review Board  
200 Constitution Ave. NW  
Washington, DC 20210-0001**



**IN THE MATTER OF:**

**REBECCA R. GONZALES,**

**ARB CASE NO. 2025-0040**

**COMPLAINANT,**

**ALJ CASE NO. 2024-AIR-00029**

**ALJ HEATHER C. LESLIE**

**v.**

**DATE: May 16, 2025**

**GLOBAL CROSSING AIRLINES,**

**RESPONDENT.**

**Appearances:**

***For the Complainant:***

**Rebecca R. Gonzales; *Pro Se*; San Antonio, Texas**

***For the Respondent:***

**Glenn M. Rissman, Esq.; *Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A.*; Fort Lauderdale, Florida**

**Before JOHNSON, Chief Administrative Appeals Judge, and KAPLAN,  
Administrative Appeals Judge**

**DECISION AND ORDER DISMISSING PETITION FOR REVIEW**

**PER CURIAM:**

This case arises under the employee protection provisions of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR21).<sup>1</sup> On March 6, 2025, Complainant Rebecca Gonzales filed a Petition for Review with the Administrative Review Board (Board) of an Administrative Law Judge's Order Dismissing Case, issued on February 25, 2025.

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<sup>1</sup> 49 U.S.C. § 42121; 29 C.F.R. Part 1979 (2024).

On March 13, 2025, the Board issued a Notice of Appeal Acceptance, Electronic Filing Requirements, and Briefing Order (Briefing Order). The Briefing Order ordered Complainant to file her Opening Brief on or before April 10, 2025.<sup>2</sup> Complainant did not file an Opening Brief as ordered.

Consequently, on April 22, 2025, the Board issued an Order to Show Cause requiring Complainant to explain why the Board should not dismiss her appeal due to her failure to file an Opening Brief.<sup>3</sup> The board ordered Complainant to file her response to the Order to Show Cause, as well as a copy of her Opening Brief, by May 6, 2025 (14 calendar days from the Board's Order to Show Cause). The Board cautioned Complainant that if it did "not receive Complainant's (1) written response to [the Order to Show Cause] and (2) Opening Brief within fourteen (14) calendar days of the issuance of [the Order to Show Cause], the Board may dismiss the appeal without further notice to the parties." Nevertheless, Complainant did not file a response or an Opening Brief as ordered.

The Board has the inherent "power to dismiss a case for failure to prosecute in an effort to control its docket and to promote the efficient disposition of its cases."<sup>4</sup> Pursuant to this authority, the Board "may dismiss a complaint in a case in which the complainant failed to comply with the Board's orders."<sup>5</sup>

Complainant failed to file an Opening Brief as ordered by the Board. The Board then gave Complainant the opportunity to explain why she failed to file an Opening Brief, and explicitly warned her that failure to do so could result in

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<sup>2</sup> The Board emailed a copy of the Briefing Order to the email address Complainant used to file her Petition for Review with the Board. The Board also mailed the Briefing Order to Complainant's address of record, but the Briefing Order was returned as unclaimed.

<sup>3</sup> The Board emailed a copy of the Order to Show Cause to the email address Complainant used to file her Petition for Review with the Board. The Board also mailed the Order to Show Cause to Complainant's address of record via certified mail. Tracking information indicates that the Order to Show Cause was delivered to Complainant on April 26, 2025.

<sup>4</sup> *DeVoe v. AMSA Contractors, Inc.*, ARB No. 2025-0011, ALJ No. 2024-STA-00061, slip op at 2 (ARB Jan. 28, 2025) (citation omitted) (dismissing appeal where complainant failed to file opening brief or respond to order to show cause).

<sup>5</sup> *Id.* (citation omitted).

dismissal of her appeal. Given Complainant's failure to respond to, and comply with, the Board's orders, we **DISMISS** Complainant's appeal.

**SO ORDERED.**

**RANDEL K. JOHNSON**  
**Chief Administrative Appeals Judge**

**ELLIOT M. KAPLAN**  
**Administrative Appeals Judge**