

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 16 March 2009**

**CASE NO.: 2009-TAE-1**

**IN THE MATTER OF**

**SHORE ACRES PLANT FARM**

**Respondent**

**DECISION AND ORDER**

This matter comes for consideration of an administrative determination by the Secretary of Labor issued on October 20, 2004, under the H-2A provisions of the Immigration and Nationality Act, 8 U.S.C. §1188 *et seq.*, as amended by the Immigration Reform and Control Act of 1986 (hereinafter "the Act"), and Regulations found at 20 C.F.R. Part 655 and 29 C.F.R. Part 501. The parties have submitted agreements and consents, as contained in their Consent Findings, which are concurrently adopted and incorporated herein and made a part hereof. It appears that the Consent Findings comply with all requirements of 29 C.F.R. §501.40. Now, therefore, in accordance with such Consent Findings, it is

**ORDERED** that the imposition of civil money penalties in the amount of \$4,000.00 is affirmed, and payment of such penalties shall be in accordance with the terms and conditions set forth in the Consent Findings, and withdrawal of Respondent's request for hearing is approved. It is

**FURTHER ORDERED** that in accordance with 29 C.F.R. §501.40, this constitutes the FINAL ORDER of the Secretary.

**ORDERED** this 16th day of March, 2009, at Covington, Louisiana.

**A**

LEE J. ROMERO, JR.  
Administrative Law Judge

**NOTICE OF APPEAL RIGHTS:** To appeal, you must file a Petition for Review ("Petition") that is received by the Administrative Review Board ("Board") within thirty (30) days of the date of issuance of the administrative law judge's decision. See 29 C.F.R. § 501.42(a). The Board's address is: Administrative Review Board, U.S. Department of Labor, Suite S-5220, 200 Constitution Avenue, NW, Washington, DC 20210. See Secretary's Order 1-2002, ¶4.c.(17), 67 Fed. Reg. 64272 (2002). The Respondent, Administrator, or any interested party desiring review of the administrative law judge's decision may file a Petition. See 29 C.F.R. § 501.42(a). Once an appeal is filed, all inquiries and correspondence should be directed to the Board.

At the time you file the Petition with the Board, you must serve it on all parties to the case as well as the administrative law judge. See 29 C.F.R. § 501.42(a).

If no Petition is timely filed, the administrative law judge's decision becomes the final agency action. See 29 C.F.R. § 501.42(a). Even if a Petition is timely filed, the administrative law judge's decision becomes the final order of the Secretary of Labor unless the Board issues an order within thirty (30) days of the date the Petition is filed notifying the parties that it has accepted the case for review. See 29 C.F.R. § 501.42(a).