

U.S. Department of Labor

Office of Administrative Law Judges
5100 Village Walk, Suite 200
Covington, LA 70433



(985) 809-5173
(985) 893-7351 (Fax)

Issue Date: 15 October 2012

CASE NO.: 2012-TAE-8

IN THE MATTER OF

**CLEN ATCHLEY and
CLEN ATCHLEY *d/b/a* FLYING A RANCH**

Respondents

DECISION AND ORDER APPROVING CONSENT FINDINGS

This case arises under §128 of the Immigration and Nationality Act, as amended by the Immigration and Reform Control Act of 1986, 8 U.S.C. §§1101(a)(15)(H)(ii)(a), 1184(c), and 1186, and the implementing regulations at 20 C.F.R. Part 655 and 29 C.F.R. Part 501. On July 6, 2012, the Administrator for the U.S. Department of Labor filed an Order of Reference on behalf of the Wage and Hour Division, United States Department of Labor, referring this matter to the Office of Administrative Law Judges for a hearing.

On September 27, 2012, the Administrator filed Consent Findings signed by Counsel for both parties, which memorialize the terms of a settlement between the parties resolving the underlying issues in this case.

Having reviewed the specific terms of the consent findings and settlement, I find that they are fair and reasonable. Accordingly, the Consent Findings are hereby **APPROVED** and incorporated herein in their entirety as Attachment A.

ORDERED this 15th day of October, 2012, at Covington, Louisiana.

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. The Respondent, Administrator, or any other party desiring review of the administrative law judge’s decision may file a Petition. 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. 29 C.F.R. § 501.42(a).

If no Petition is timely filed, or the ARB does not accept the Petition for review, 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).