

**U.S. Department of Labor**

Office of Administrative Law Judges  
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Cincinnati, Ohio 45202

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**Issue Date: 29 July 2013**

Case No. 2013-TAE-3

In the Matter of:

RANDY CLANTON FARMS, INC., and  
RANDY CLANTON FARMS, INDIVIDUALLY  
Respondents.

Upon request for a hearing regarding the  
assessment of civil money penalties under  
29 C.F.R. Part 501

**DECISION AND ORDER APPROVING CONSENT FINDINGS**

This case arises under the H-2A provisions 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 November 20, 2012, the Solicitor of Labor for the U.S. Department of Labor filed an Order of Reference on behalf of the Wage and Hour Division, U.S. Department of Labor, referring this matter to the Office of Administrative Law Judges for a hearing.

On July 22, 2013, the Acting Deputy Administrator of the Wage and Hour Division of the U.S. Department of Labor filed Consent Findings signed by Counsel for the 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 29th day of July, 2013, at Cincinnati, Ohio.

JOSEPH E. KANE  
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).