

**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: 28 March 2013**

CASE NO.: 2013-TAE-00005

IN THE MATTER OF

LANDRY-POCHE' STRAWBERRY FARM, INC.,  
Respondent

**DECISION AND ORDER**

This proceeding arises from the H-2A provisions of the Immigration and Nationality Act, (INA), 8 U.S.C. § 1101(a)(15)(H)(ii)(a), 1184(c), and 1186 and the applicable regulations issued there under at 20 C.F.R. Part 655, Subpart B. The Prosecuting Party, Administrator for the Wage and Hour Division of the U.S. Department of Labor (Administrator), and Respondent, LandryPoche' Strawberry Farm, Inc., filed Consent Findings resolving all issues in dispute in this case relating to Respondent's contest of Administrators findings regarding its compliance with the H2A provisions of the INA. The Consent Findings are attached hereto and made a part hereof The Court has examined the stipulations of fact and conclusions of law contained therein and concludes that all issues in contest between Administrator and Respondent are resolved. Accordingly,

IT IS ORDERED that the Consent Findings be are APPROVED and

IT IS ORDERED that civil money penalties in the total amount of \$6,000.00 plus interest of \$20.02 to be paid by Respondent over a seven month period to the Wage and Hour Division of the U.S. Department of Labor shall be deemed to be full satisfaction of the civil money penalties claim against Respondent arising out of its employment of 15 H-2A workers.

FINALLY, IT IS ORDERED that the Consent Findings are made a part of the record.

**So ORDERED.**

LARRY W. PRICE  
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).