

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 07 August 2015

CASE NO.: 2015-TAE-00005

IN THE MATTER OF:

**JENSCHKE FARMS PRODUCE d/b/a
JENSCHKE FARMS
Respondent**

DECISION AND ORDER

This is a proceeding under the H-2A provisions of the Immigration and Nationality Act, (“INA”), 8 U.S.C. § 1101(a)(15)(H)(ii)(a), 1184, and 1186 and the applicable regulations issued there under at 20 C.F.R. Part 655, Subpart B. The Administrator and Jenschke Farms Produce d/b/a Jenschke Farms (“Jenschke Farms”) have filed Consent Findings resolving all issues in dispute in this case relating to Jenschke Farms’ contest of the Administrator’s findings regarding its compliance with the H-2A 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 the Administrator and Jenschke Farms have been resolved.

Accordingly, **IT IS ORDERED** that the Consent Findings be, and the same hereby are **APPROVED**, and

IT IS ORDERED that unpaid wage claims in the amount of \$5,961.48 plus interest of \$35.48 and civil money penalties in \$3,419.98 plus interest of \$27.14 to be paid by Jenschke Farms over an eighteen (18) month period to the Wage and Hour Division of the Department of Labor shall be deemed to be full satisfaction of the unpaid wage claims and the civil money penalties claim against Jenschke Farms arising out of its employment of H-2A workers.

IT IS ORDERED that Jenschke Farms is prohibited from participating in the H-2A program for a period of three (3) years beginning on the date of execution of this order.

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

ORDERED this 7th day of August, 2015, at Covington, Louisiana.

CLEMENT J. KENNINGTON
Administrative Law Judge