



Issue Date: 31 March 2016

Case No.: 2015-TAE-00009

In the Matter of:

**ADMINISTRATOR, WAGE AND HOUR DIVISION,
UNITED STATES DEPARTMENT OF LABOR,**

Prosecuting Party,

v.

DANIELS PRODUCE, LLC,

Respondent.

ORDER APPROVING CONSENT FINDINGS

This matter arises under the Immigration and Nationality Act, H-2A visa program, 8 U.S.C. §§ 1101(a)(15)(H)(ii)(a), 1184(c), and 1188 and the implementing regulations set forth at 20 C.F.R. Part 655, Subpart B, and 29 C.F.R. Part 501.

On March 15, 2016, the parties filed a document dated and signed on March 7, 2016, entitled: "Proposed Consent Findings" (hereinafter "Consent Findings") wherein the parties agree that the Respondent will:

- (1) Pay a sum of \$250,000.00 in unpaid wages to employees listed in Attachments A and B to the Consent Findings pursuant to the terms specified in paragraphs 5-7 of the Consent Findings;
- (2) Pay a sum of \$20,000.00 in civil money penalties pursuant to the terms specified in paragraphs 8-9 of the Consent Findings;
- (3) Comply with the obligations set forth in paragraphs 10-15 of the Consent Findings; and
- (4) Acknowledge that further violations could result in debarment and that the agreement does not preclude the Administrator from investigating or instituting enforcement actions for violations of the H2-A program.

The parties agree that approval of the Consent Findings finally resolves and settles all claims and controversies related to this matter and that they will bear their own costs incurred in connection with this case.

Section 501.40(b) provides that the presiding Administrative Law Judge shall accept an agreement containing consent findings if he or she “is satisfied with its form and substance.” After reviewing the terms of the agreement, I am satisfied that it conforms to the requirements set forth in § 501.40(b)(1)-(4) and that it achieves a satisfactory resolution of the issues previously contested.

The terms of the Consent Findings dated and signed on March 7, 2016, which was filed on March 15, 2016, are **APPROVED** and they are adopted and incorporated in full into this Order.

SO ORDERED.

MORRIS D. DAVIS
Administrative Law Judge

Washington, D.C.