



**Issue Date: 10 February 2015**

CASE NO.: 2015-TAE-00004

*In the Matter of:*

PEACH CREST FARM, LLC.,  
Respondent.

**DECISION AND ORDER APPROVING CONSENT FINDINGS**

This proceeding arises under the H-2A provisions of the Immigration and Nationality Act (“INA”), 8 U.S.C. § 1101(a)(9)(H)(ii)(a), 1184(c), and 1186 and the applicable regulations issued at 20 C.F.R. Part 655, Part B.

The Wage and Hour Division of the Department of Labor’s Employment Standards Division issued a Determination Letter on May 7, 2014, assessing back wages and civil money penalties against the Respondent for violations of the INA. Respondent filed a timely request for a hearing in this matter. The Department of Labor filed an Order of Reference on November 4, 2014, with the Office of Administrative Law Judges referring this matter for a hearing.

After receiving this case file on December 3, 2014, I issued a Notice of Hearing on the same day setting this case for hearing on February 10, 2015, in Oklahoma City, Oklahoma. I vacated the hearing on December 30, 2015, after being advised by counsel for the Department of Labor that the parties had reached a settlement and a hearing would not be necessary.

On February 9, 2015, the parties filed Consent Findings signed by both parties which resolve the issues in this case. I have reviewed the Consent Findings and find that they are in accordance with 29 C.F.R. Part 501.40 and fairly and adequately resolve the issues in this matter.

The Consent Findings are hereby APPROVED and ADOPTED in their entirety. It is further ORDERED that:

1. Peach Crest Farms, LLC. shall pay the Wage and Hour Division of the U.S. Department of Labor the amount of \$12,500.00 in civil money penalties by March 15, 2015, in full satisfaction of the civil money penalty claims against Respondent arising out of its employment of 25 H-2A workers from February 10, 2010, to December 10, 2010, from March 25, 2011, to December 25, 2011, and from March 15, 2012, to December 15, 2012.

2. Peach Crest Farms, LLC. shall be prohibited from participating in the H-2A program for a period of three (3) years from the date of this Order.
3. The record in this case shall consist of the Department of Labor's complaint and the Consent Findings.

JENNIFER GEE  
Administrative Law Judge