

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 26 May 2020

BALCA CASE NO.: 2018-TAE-00024

In the Matter of:

UNTIEDT'S VEGETABLE FARM, INC.
Respondent

Appearances: Jessica L. Roe, Esq.
For the Respondent

Christine Z. Heri, Esq., and
Catherine Seidelman, Esq.
U.S. Dept. of Labor, Regional Office of the Solicitor,
For the Administrator, Wage and Hour Division, U.S. Department of Labor

Before: Drew A. Swank
Administrative Law Judge

DECISION AND ORDER APPROVING CONSENT FINDINGS

This proceeding arises under the H-2A provisions of the Immigration and Nationality Act (INA), as amended by the Immigration Reform and Control Act (IRCA), 8 U.S.C. §§ 1101(a)(15)(H)(ii)(a), and the regulations thereunder found at 20 C.F.R. Part 655, subpart B. On January 25, 2018, the Administrator, Wage and Hour Division, United States Department of Labor ("Administrator"), issued a determination letter to Respondent. Respondent requested a hearing on February 23, 2018. The Administrator filed an Order of Reference with the Office of Administrative Law Judges. After assignment of this matter to the undersigned Administrative Law Judge, a hearing was initially scheduled for October 29, 2019 but later cancelled, while the parties attempted to reach a settlement of the contested issues.

On May 15, 2020, the parties filed *Consent Findings*, in which the parties agree, *inter alia*, that the Respondent will pay \$303,748.03, plus interest, to the Administrator to resolve this matter.

Section 501.40(d) provides that the presiding Administrative Law Judge shall accept any agreement containing consent findings if he or she is “satisfied with its form and substance.” After reviewing its terms, I am satisfied that the agreement conforms to the requirements set forth in § 501.40(b)(1)-(4) and is a satisfactory resolution of the issues previously contested. The terms of the *Consent Findings* filed on May 15, 2020 are APPROVED and they are adopted and incorporated by reference in full into this Order.

SO ORDERED.

DREW A. SWANK
Administrative Law Judge