

U.S. Department of Labor

Office of Administrative Law Judges
36 E. 7th St., Suite 2525
Cincinnati, Ohio 45202

(513) 684-3252
(513) 684-6108 (FAX)



Issue Date: 11 October 2019

Case No. **2018TAE00007**

In the Matter of:

ACTING ADMINISTRATOR,
Wage and Hour Division,
U.S. Department of Labor,
Prosecuting Party,

v.

FRENS' ORCHARDS, INC.,
Respondent.

DECISION AND ORDER APPROVING CONSENT FINDINGS

This case arises under the H-2A provisions of the Immigration and Nationality Act, as amended by the Immigration and Reform Control Act of 1986, 8 U.S.C. §§1101(a)(15)(H)(ii)(a), 1184(c), and 1186 (“the Act”), and the implementing regulations at 20 C.F.R. Part 655 and 29 C.F.R. Part 501. On January 31, 2018, the Solicitor of Labor for the U.S. Department of Labor filed an Order of Reference on behalf of the Wage and Hour Division, U.S. Department of Labor, referring this matter to the Office of Administrative Law Judges for a hearing.

On October 4, 2019, the parties filed a fully executed document entitled: “Settlement Agreement and Consent Findings” (hereinafter, “Consent Findings”), which memorialize the terms of a settlement between the parties resolving the underlying issues in this case.

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.” Having reviewed the specific terms of the settlement and consent findings, I find that they are fair and reasonable. Accordingly, the Consent Findings are hereby **APPROVED** and they are adopted and incorporated in full into this Order.

SO ORDERED.

JOSEPH E. KANE
Administrative Law Judge