



**Issue Date: 25 July 2018**

CASE NOS.: 2018-TAE-00017  
2018-TAE-00018

*In the Matter of:*

GREGORIO TLACUATL, Farm Labor Contractor,  
*Respondent.*

**ORDER ON CONSENT FINDINGS**

A hearing in this matter was scheduled for June 27, 2018 in Savannah, Georgia. It was canceled after the parties advised that they had resolved all outstanding issues. On July 13, 2018, counsel for the Administrator submitted a set of consent findings and proposed order for review. Upon review, the consent findings are approved. Accordingly, IT IS HEREBY ORDERED:

1. This action arises under the Immigration and Naturalization Act, 8 U.S.C. § 1101(a)(15)(H)(ii)(A), 1184(c), and 1188 (the “Act”) and the implementing regulations found at 20 C.F.R. Part 655 29 C.F.R. Part 501. Jurisdiction over the hearing in this matter is vested in the Office of Administrative Law Judges by Section 212(n)(2) of the Act and 29 C.F.R. Part 501.
2. The issues resolved by these Consent Findings and Order were identified initially during investigations conducted by the Wage and Hour Division (“WHD”).
3. On April 17, 2014 and January 14, 2016, the WHD Administrator issued Determination Letters to Respondent identifying alleged violations of the H-2A provisions of the Act.
4. Within the time period provided by 20 C.F.R. § 655.820, Respondent filed a Request for Hearing with respect to the allegations of violations set forth in the Determination Letters.
5. These Consent Findings and Order disposing of this proceeding shall have the same force and effect as an Order made after a full hearing.
6. The entire record forming the basis on which the Order is entered shall consist of the April 7, 2014 and the January 14, 2016 Determination Letters and attachments, as amended herein, and these agreements and consents.
7. The parties to these Consent Findings and Order hereby waive all further procedural steps between themselves before the Administrative Law Judge.
8. The parties waive any right to challenge or contest the validity of these Consent Findings and Order.
9. All violations alleged in the Determination Letters issued by the Administrator, as amended herein, are and shall be deemed fully resolved by these Consent Findings and Order with regard to both the Complainant and Respondent.

10. These Consent Findings and Order shall become final immediately upon approval of the Administrative Law Judge. The effective date of these Consent Findings and Order shall be the date of approval by the Administrative Law Judge.
11. Respondent withdraws the aforesaid exceptions to the administrative determinations.
12. Respondent withdraws his Request for Hearing filed in these matters.
13. The Administrator hereby amends the aforesaid Determination Letters to allege that Respondent owes a single Civil Money Penalty in the amount of \$10,000.00.
14. Respondent agrees to pay \$10,000.00, by cashier's or certified check or money order in said amount payable to "Wage and Hour Division – Labor within 30 days of execution of the Consent Findings and Order. The payment shall be sent to the following address:

U.S. Department of Labor  
Wage and Hour Division  
Room 7M40  
61 Forsyth Street, SW  
Atlanta, Georgia 30303

15. Jurisdiction, including the authority to issue any additional orders or decrees necessary to effectuate the implementation of the provisions of these Consent Findings and Order, is retained by the Office of Administrative Law Judges.
16. Enforcement proceedings for violation of these Consent Findings and Order may be initiated at any time upon the filing with the Administrative Law Judge a motion for an Order of enforcement and sanctions.
17. Each party will bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding, including but not limited to attorney's fees, which may be available under the Equal Access to Justice Act, as amended.
18. These Consent Findings and Order shall constitute the final Administrative Order in this case.

**SO ORDERED.**

PAUL C. JOHNSON, JR.  
District Chief Administrative Law Judge

PCJ, Jr./ksw  
Newport News, Virginia