



Issue Date: 05 November 2020

Case No.: 2019-TAE-00012

In the Matter of:

R. MEZA TRUCKING, LLC. D/B/A R. MEZA TRUCKING,
Employer.

DECISION AND ORDER APPROVING CONSENT FINDINGS

1. Nature of Motion. Pursuant to 29 C.F.R. § 18.71, the parties submitted negotiated Consent Findings for approval by the undersigned.¹

2. Jurisdiction. This Department of Labor, Wage and Hour Division enforcement 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), 1184(a) and (c), and 1188, and regulations found at 20 C.F.R. Part 655, Subpart B and 29 C.F.R. Part 501.

3. Applicable Law and Analysis.

Pursuant to 29 C.F.R. § 501.40(d), in the event an agreement containing consent findings and an order is submitted, the presiding Administrative Law Judge shall, if satisfied with its form and substance, accept such agreement by issuing a decision based upon the agreed findings.

After reviewing the terms, the undersigned concludes the consent findings executed by the parties fully conform to the requirements set forth in 29. C.F.R. § 18.71 and § 501.40(b)(1)-(4), and they are an acceptable resolution of the previously contested issues in this matter.

¹ The undersigned notes the Consent Findings submitted by the parties erroneously cites 29 C.F.R. §18.9 as the authority for such action. This provision no longer exists. It was eliminated and replaced by §18.71 when the Rules of Practice and Procedure for Administrative Hearings before the Office of Administrative Law Judges contained in 29 C.F.R. Part 18, Subpart A were amended effective June 18, 2015. *See* 80 Fed Reg 28768, 37539. These rules are available at the following website: <https://www.dol.gov/agencies/oalj/topics/libraries/LIBRULES>

4. Order.

The terms of the parties' Consent Findings are approved and adopted by the undersigned. They are fully incorporated into this final Order, and they have the same force and effect as an order made by the undersigned after a formal hearing on this matter.

To the extent not already accomplished by the parties, they shall execute the terms of this Consent Findings.

This order constitutes a full and final resolution of this matter.

SO ORDERED this day at Covington, Louisiana.

TRACY A. DALY
Administrative Law Judge