

UNITED STATES DEPARTMENT OF LABOR  
OFFICE OF ADMINISTRATIVE LAW JUDGES  
BOSTON, MASSACHUSETTS

Issue Date: 03 November 2020

CASE NO.: 2020-TAE-00014

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*In the Matter of:*

ADMINISTRATOR, WAGE AND HOUR DIVISION,  
U.S. DEPARTMENT OF LABOR,  
*Plaintiff,*

v.

BG WILLIAMS FARMS, LLC,  
*Respondent.*

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**ORDER APPROVING CONSENT FINDINGS**

This matter arises under the H-2A provisions of the Immigration and Nationality Act (“Act”), 8 U.S.C. §§ 1101(a)(15)(H)(ii)(a), 1184(a), (c), and 1188, and the implementing regulations found at 20 C.F.R. Part 655 and 29 C.F.R. Part 501.

By letter dated March 24, 2017, the Assistant District Director of the Wage and Hour Division, U.S. Department of Labor, notified BG Williams Farms, LLC (“Employer”) that an investigation regarding the employment of H-2A workers revealed Employer failed to comply with certain requirements of the Act covering the period of November 1, 2016, through December 20, 2016, and assessed \$5,637.20 in civil money penalties. On April 20, 2017, Employer timely contested the determination and requested a hearing.

On November 2, 2020, counsel for the Administrator filed *Consent Findings and Order* (“Consent Findings”) indicating the parties had reached a resolution on all issues thereby obviating the need for a formal hearing. The Consent Findings indicate the Administrator has agreed to reduce the civil money penalty to \$3,664.18.

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.” 29 C.F.R. § 501.40(d). After reviewing its terms, I am satisfied that the Consent Findings conform to the requirements set forth in section 501.40(b)(1) through (4) and is a satisfactory resolution of the issues previously contested.

The terms of the Consent Findings filed on November 2, 2020, are **APPROVED** and are adopted and incorporated in full into this Order. Upon payment of the civil money penalty, this matter is **DISMISSED**.

**SO ORDERED.**

**TIMOTHY J. McGRATH**  
Administrative Law Judge

Boston, Massachusetts