



**Issue Date: 10 May 2021**

**CASE NO.: 2021-TAE-00009**

**IN THE MATTER OF**

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

**v.**

**BAYOU METO FARM GROUP,  
HAMPTON PLANTING CO., INC.,  
MATTHEW GREEN FARM,  
JASON BERRY, INC.,  
COKER FARMING CO.,  
Respondents**

**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 June 30, 2020, the District Director for the Wage and Hour Division’s Dallas, TX, Office notified Bayou Meto Farm Group (“Respondents”) that an investigation regarding the employment of H-2A workers revealed Respondents failed to comply with certain legal requirements of the Act covering the period March 3, 2016-November 13, 2016 and assessed collectively, \$1,398.40, in back wages and \$16,656.00 in civil money penalties. The civil money penalties were reduced to \$10,410.00. By letter dated July 14, 2020, Respondents filed a joint Request for Hearing. The Bayou Meto Farm Group (Association) consists of four agricultural employers: (1) Jason Berry, Inc.; (2) Hampton Planting Company, Inc.; (3) Matthew Green Farm, Inc.; and (4) Coker Farming Co. For the 2016 and 2017 growing season, the Group submitted a single application on behalf of the Respondents.

On February 9, 2021, the Office of Administrative Law Judges received the Order of Reference on this matter from Counsel for the Administrator, and the case was docketed for hearing. The case was reassigned to Administrative Law Judge Angela F. Donaldson on March 2, 2021. The hearing was originally scheduled for April 5, 2021, and rescheduled for November 4, 2021, after receiving the Complainant’s Unopposed Motion.

On April 27, 2021, the Administrator filed Consent Findings, in which the Employers agree to withdraw the request for hearing and pay civil money penalties in the amount of \$7,000.00, within thirty days of the last signature of the Consent Findings. Each payment must be individually identified as follows:

Reference #	Reference Name	Amount
1820824	Matthew Green Farm	\$875.00
1820825	Hampton Planting Co. Inc.	\$875.00
1820826	Coker Farming Inc.	\$875.00
1820829	Jason Berry, Inc.	\$875.00
1884820	Bayou Meto Farm Group (Matthew Green Farm)	\$875.00
1884821	Bayou Meto Farm Group (Hampton Planting Co. Inc.)	\$875.00
1884822	Bayou Meto Farm Group (Coker Farming Inc.)	\$875.00
1881010	Bayou Meto Farm Group (Jason Berry, Inc.)	\$875.00
	TOTAL	\$7,000.00

Respondents may also pay online by ACH transfer, credit card, debit card, or digital wallet. Respondents shall deliver the payments to the U.S. Department of Labor, Wage and Hour Division, 525 S. Griffin St., Room 800, Dallas, TX 75202. The agreement set forth in the Consent Findings resolves all issues for litigation (“All violations set forth in the Determination Letters issued by Wage and Hour to Respondents are and shall be deemed fully resolved by these Consent Findings.”). *See* Consent Findings, Paragraph 12.

Section § 501.40(d) provides that the presiding Administrative Law Judge shall accept any agreement containing consent findings if she is “satisfied with its form and substance.” 29 C.F.R. § 501.40(d). 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. Therefore, the terms of the Consent Findings filed on April 27, 2021 are APPROVED and are adopted and incorporated in full into this Order.

It is hereby **ORDERED** that:

- (1) This Order shall have the same force and effect as an order made after full hearing;
- (2) The entire record on which this Order is based consists solely on the four Determination Letters and Consent Findings;

(3) The parties have waived any further procedural steps before the Administrative Law Judge regarding this matter; and

(4) The parties have waived any right to challenge or contest the validity of the Consent Findings and this Order entered into in accordance with the parties' agreement.

Upon payment of the amount set forth in the Consent Findings, for civil money penalties, this matter is DISMISSED.

So **ORDERED** this 10<sup>th</sup> day of May, 2021, at Covington, Louisiana.

**ANGELA F. DONALDSON**  
**ADMINISTRATIVE LAW JUDGE**