

U.S. Department of Labor

Office of Administrative Law Judges
St. Tammany Courthouse Annex
428 E. Boston Street, 1st Floor
Covington, LA 70433-2846

(985) 809-5173
(985) 893-7351 (Fax)



Issue Date: 27 April 2009

CASE NO.: 2009-LCA-00003

IN THE MATTER OF

**ADMINISTRATOR, WAGE AND HOUR DIVISION,
Prosecuting Party**

**TXL DESIGN LLC & JLH ENTERPRISES,
Respondents**

DECISION AND ORDER APPROVING CONSENT FINDINGS

This is a proceeding under the H-1B provisions of the Immigration and Nationality Act, (“INA”), 8 U.S.C. § 1101 *et seq.* and the applicable regulations issued there under at 29 C.F.R. §655.700 *et seq.* The parties in this matter have filed Consent Findings pursuant to 29 C.F.R. §18.9, which constitute a full and final resolution of this action and of all issues raised by the Administrator’s Determination Letter issued to Respondents on September 8, 2008, regarding Respondents’ compliance with the H-1 B provisions of the INA. The Consent Findings are marked for identification as ALJ No. 1, and are attached hereto and made a part of the record hereof. The Court has examined the stipulations of fact and conclusions of law contained therein, and concludes that all issues in contest between the Administrator and Respondents TXL Design LLC and JLH Enterprises have been resolved.

Accordingly,

IT IS ORDERED that the Consent Findings (ALJ No. 1), which represent a fair, adequate and reasonable settlement of the issues pertaining to this matter be, and the same hereby are **APPROVED**.

IT IS FURTHER ORDERED that prevailing back wage compensation in the amount of \$16,310.49 and \$1,050.00 in civil money penalties, for a total of \$17,360.49, be paid by TXL Design LLC and JLH Enterprises, Inc., to its former employee, Paul F. Burke. Payment of this total amount shall be deemed to be a full satisfaction of the back wage and civil money penalty claims against Respondents, TXL Design LLC and JLH Enterprises, Inc., arising out of its employment of its former employee, Paul F. Burke.

IT IS FURTHER ORDERED that the Consent Findings be made a part of the record.

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CLEMENT J. KENNINGTON
Administrative Law Judge

NOTICE OF APPEAL RIGHTS: To appeal, you must file a Petition for Review (“Petition”) that is received by the Administrative Review Board (“Board”) within thirty (30) calendar days of the date of issuance of the administrative law judge’s decision. *See* 20 C.F.R. § 655.845(a). The Board’s address is: Administrative Review Board, U.S. Department of Labor, Suite S-5220, 200 Constitution Avenue, NW, Washington, DC 20210. Once an appeal is filed, all inquiries and correspondence should be directed to the Board.

At the time you file the Petition with the Board, you must serve it on all parties as well as the administrative law judge. *See* 20 C.F.R. § 655.845(a).

If no Petition is timely filed, then the administrative law judge’s decision becomes the final order of the Secretary of Labor. Even if a Petition is timely filed, the administrative law judge’s decision becomes the final order of the Secretary of Labor unless the Board issues an order within thirty (30) days of the date the Petition is filed notifying the parties that it has accepted the case for review. *See* 29 C.F.R. § 655.840(a).