

U.S. Department of Labor

Office of Administrative Law Judges
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Issue date: 18Jul2001

Case No: 1997-SCA-0032

In the Matter of:

RASPUTIN, INC.,
Respondents.

DECISION AND ORDER

This proceeding came on for consideration upon a Complaint by the Secretary of Labor under the Service Contract Act of 1965, 41 USC 351, et seq., and the regulations thereunder found at 29 CFR Parts 4 and 6, and Plaintiff's motion for default judgment which are concurrently adopted, incorporated herein, and made a part hereof.

Based on the foregoing, and based on Rasputin's failure to answer the complaint, I conclude that Respondent, Rasputin, Inc., is in default, and, therefore, conclude that Rasputin, Inc. is deemed to have violated the aforesaid act and regulations, and owes \$173,460.34 in back wages to its employees in the amounts set forth in Schedule "A" of the complaint.

Accordingly, it is ORDERED that Respondent immediately shall deliver to the Secretary of Labor a certified or cashiers check or money order in the amount of \$173,460.34 payable to "Wage-Hour Division-Labor." Such monies shall be distributed by the Secretary of Labor to the employees identified in Schedule "A" of the complaint, or to their personal representatives, in the amounts set forth therein, less deductions as required by law.

It appearing that no unusual circumstances within the meaning of section 5(a) of the Service Contract Act and regulations found at 29 CFR 4.188, 6.19 and 6.21, have been shown to exist.

IT IS FURTHER ORDERED that Respondent, Rasputin, Inc., not be relieved from application of the ineligible list provisions of section 5(a) of the Service Contract Act and that the Secretary forward to the Comptroller General the name of Rasputin, Inc. for inclusion on and publication of the list of persons and firms who shall be ineligible (together

with any firm, corporation, partnership, or association in which said Respondent has substantial interest) to be awarded any contract with the United States until three (3) years have elapsed from the date of such publication by the Comptroller General.

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FLETCHER E. CAMPBELL, JR.
Administrative Law Judge

FEC/lpr
Newport News, Virginia