



DATE ISSUED: September 29, 1998

CASE NOS.: 97-JTP-00020
97-JTP-0002 1
97-JTP-00022

In the Matter of

**MIDWEST FARMWORKER (STATES
OF MINNESOTA, SOUTH DAKOTA,
and NORTH DAKOTA)**
Complainant

v.

U.S. DEPARTMENT OF LABOR
Respondent

Appearances:

Larry Leventhal & Associates, Esquires
Larry Meuwissen, Esq., of Counsel
Minneapolis, Minnesota
For the Complainant

Stephen R. Jones, Esq.
Washington, D.C.
For the Respondent

Before: PAUL H. TEITLER
Administrative Law Judge

DECISION AND ORDER

Background

This case arises under the Job Training Partnership Act, Title IV Section 402, 29 U.S.C. 4 1672 *et seq.* (hereinafter "**JTPA**") and the regulations contained at 20 C.F.R. §632 *et seq.* Complainant, Midwest Farmworker Employment & Training Inc. (**MFET**) had been the Grantee in Minnesota for 26 years, for South Dakota for 18 years, and for North Dakota for 12 years. MFET requested administrative review of the decision of the Grant Officer, **James DeLuca** to

disapprove their application for a continuation of their grants to provide job placement services, vocational/educational training and employment assistance service to migrant farmworkers in the States of Minnesota, South Dakota and North Dakota, pursuant to 20 C.F.R. §636.10

The Department of Labor (**DOL**) alleged that MFET had not performed satisfactorily under the terms of the existing grants for the program years 1995-1996 and invited competition for the program years 1997-1998. On February 11, 1997 the DOL issued an “Application of Waiver Provision, and Solicitation for Grant Application (**SGA**)” (62 FR 6272-76) (SGA) for the program years 1997 and 1998.

After the review of the competing Applications for the States of Minnesota, South Dakota, and North Dakota, MFET was not awarded the JTPA grants. MFET thereafter filed a timely appeal.

Section 402(a) of the JTPA states:

The Congress finds and declares that -

- (1) Chronic seasonal unemployment and underemployment in the agricultural industry aggravated by continual advancements in technology and mechanization resulting in displacement constitute a substantial portion of the Nation’s rural employment problem and substantially affect the entire national economy, and
- (2) because of the special nature of farmworkers employment and training problems, such programs shall be centrally administered at the national level.

29 U.S.C.A. §1672. As stated above, Congress determined that this program should be administered by the Federal government versus administration by the individual states. Section 402 requires that the Secretary of Labor

provide services to meet the employment and training needs of migrant and seasonal farmworkers through such public agencies and private nonprofit organizations as the Secretary determines to have an understanding of the problems of migrant and seasonal farmworkers, a familiarity with the area to be served and a previously demonstrated capacity to administer effectively a diversified employability development program for migrant and seasonal farmworkers.

29 U.S.C.A. §1672(c)(1). Competition for grants is conducted every two years and the Secretary is required to use procedures that are **consistent with standard competitive Government procurement policies**. 29 U.S.C.A. §1672(c).

To implement this program, the Secretary of Labor promulgated the regulations located at 20 C.F.R. Part 633. The procedures for awarding **funding** grants under Section 402 of the JTPA are found at 20 C.F.R. §§633.201 through 205. Under these regulations, the Department of Labor is required to publish a **notice** and solicitation for grant applications (SGA) in the Federal Register 20 C.F.R. §633.202(a). Eligible applicants who intend to apply for the grant must file a Preapplication for Federal Assistance with the Department of Labor by a date specified in the SGA. 20 C.F.R. §633.202(b). Under Section 633.202(d) which implements Executive Order 12372 with regard to this program, applicants are required to provide copies of the applications to the state for which they are applying for comment if that state has established a consultation process expressly covering this program. The application is to be submitted to the state by the deadline for submissions to the Department of Labor. 20 C.F.R §633.202(d).

Once the Department of Labor receives the applications, they are reviewed to make sure that they comply technically with all the requirements. The applications are then forwarded to a panel for review and a list of the names of the applicants is forwarded to the **office** that performs the responsibility reviews. The responsibility review is independent of the competitive process and consists of a review of all available records to determine whether the applicant has established overall responsibility to administer Federal Funds. 20 C.F.R. §633.204.

The panel reviews the applications under the review standards established at 20 C.F.R. § 633.203 and noted in the SGA. These include

- (a) An understanding of the problems of migrant and seasonal farmworkers;
- (b) A familiarity with the area to be served;
- (c) A previously demonstrated capability to administer effectively a diversified employability development program for migrant and seasonal farmworkers;
- (d) General administrative and financial management capability;
- (e) Prior performance with respect to financial management, audit and program outcomes.

20 C.F.R §633.203. The panel then makes recommendations to the Grant Officer as to which applicant should be awarded the grant. Once the Grant **Officer** reviews the recommendations of the panel and makes an independent determination that the recommendations are correct, the selected applicant is notified and invited to negotiate the **final** terms and conditions of the grant. 20 C.F.R. §633.205(a). Applicants who are not selected are also notified in writing at this time. 20 C.F.R. § 633.205(c). Applicants whose applications are denied are given the opportunity to

request an administrative review as provided for in 20 C.F.R. Part 636, 20 C.F.R. §633.205(e).

Findings of Fact and Conclusions of Law¹

Procedural History

On March 28-30, 1995 an ETA monitoring team, which included personnel from the **OSTP's** Division of Migrant and Seasonal Farmworker Programs (**DMSFP or the Program Office**), visited **MFET's** offices to evaluate their response to alleged serious deficiencies noted during previous monitoring, going back to 1990. At the request of Mr. Charles Kane, the Director of the DMSFP, the Office of Inspector General (OIG) investigated allegations of personnel abuses of MFET employees. On June 14, 1996, Stephen Cossu, Deputy Assistant Inspector General for Program Fraud, sent a letter (MFET EX 21) to Charles Kane stating in part:

Most issues detailed in the **(IM) {Investigative Memorandum}** are administrative in nature and do not constitute serious violations of criminal law. Therefore this office is taking no further investigative action.

The OIG sent a letter on December 18, 1996, an **Alert Memorandum** (DOL EX 05) stating that MFET has discharged several of its employees from their jobs as a result of their cooperation with their ongoing audit of MFET grant money administered under the [JTPA]. The OIG stated further that it viewed this situation seriously and believed that it constituted a violation of §164(g) of the JTPA, which prohibits recipients from discharging or discriminating against any individual who has filed a complaint, or has testified in any investigation related to the Act.

During the week of June 18, 1996 another ETA monitoring team visited MFET to evaluate whether corrective measures were taken by MFET in response to the 1995 monitoring visit. The monitoring team determined that a number of problems had persisted from the 1995 review. On June 28, 1996, Mr. Kane sent a letter (MFET EX 18) to **Roberto Reyna, Executive Director of MFET**, which stated that the June 18, 1996 monitoring visit indicated that MFET was still pursuing **“fund-raising activities from employees.”** Involuntary fund-raising was not permitted under the JTPA, and there were complaints from present and former staff members that MFET staff participation was involuntary, and it was alleged that if an employee did not participate they would lose their job. Mr. Reyna testified (TX 429) that MFET discontinued fund-raising from employees in response to the June 28, 1996 letter.

On August 2, 1996, Mr. Kane sent a letter to Mr. Reyna which addressed the results of the June 1996 monitoring review, identifying 21 findings and focusing on the concerns which have persisted from the 1995 **review** (MFET EX 11). On August 9, 1996 the Grant Officer, Mr. DeLuca sent a letter to **Raul Cardona, Jr., President of the MFET Board of Directors**. This

¹ Citations to the record will be abbreviated as follows: MFET EX -- Complainant's Exhibit; DOL EX -- Respondent's Exhibit; TX -- Hearing Transcript.

letter set forth the investigative findings and allegations contained in the report of the OIG (MFET EX 12). Mr. Reyna responded to the August 2, 1996 letter. On March 5, 1997 Mr. DeLuca transmitted his **Initial Determination (ID)** to MFET (DOL EX 09) stating that MFET's responses had been accepted with respect to 8 findings and not accepted with respect to 5 findings. The other findings remained open pending Mr. DeLuca's receipt of additional pertinent information. On September 16, 1996 Mr. Cardona sent a letter (DOL EX 17) to **Paul Mayrand, Director of the Office of Special Targeted Programs (OSTP)**, Mr. Kane's immediate supervisor with regard to the August 2, 1996 letter. Mr. Cardona filed a formal complaint regarding the manner in which MFET and Mr. Reyna had been subjected to unwarranted threats, abuse and harassment by **DMSFP** and Mr. **Charles Kane**².

Mr. **Mayrand** sent a letter to Mr. Cardona (DOL EX 19) which stated that Mr. DeLuca and he did not view the subsequently proven allegations as responsive to the August 9, 1996 letter. Mr. **Mayrand** also requested information to support the formal complaint. On October 10, 1996, October 28, 1996, and December 10, 1996, Donna Hanbery, Esq., an attorney representing MFET, sent letters (MFET EX 05) to Mr. Kane which repeated Mr. Cardona's charges, defended MFET's fund-raising practices and asserted the DMSFP was advocating employee complaints against MFET in order to "damage or destroy the organization." On November 4, 1996, Mr. DeLuca sent a letter to Ms. Hanbery which stated that Mr. **Cardona's**³ charges had been reviewed and found to be without **foundation**⁴.

On November 18, 1996, Mr. Kane sent a letter (DOL EX 04) to Roberto Reyna stating that he had received several letters requesting "assistance in obtaining refunds of their contributions to MFET because their contributions were made unwillingly." Mr. Kane referenced his June 28, 1996 letter which stated that employees who did not willingly make contributions are entitled to be reimbursed.

In the fall of 1996, DMSFP reviewed the performance of all Section 402 grantees to determine which would have competition waived pursuant to Section 403(c)(2) for the program years 1997 and 1998 because the grantee was performing satisfactorily. On December 5, 1996,

² The allegations against Mr. Kane were subsequently verified, and he admitted that he had accepted "gifts" from MFET's competitor, the successful grantee, which will be discussed in detail. His actions were clearly in violation of Government ethics, and mandate the relief granted in this Decision and Order.

³ Mr. Reyna was in fact seeking funds from his employees, and fund raising to obtain a lobbyist, which he felt that he needed to secure his continuation in the JTPA Grant Program. He was aware that he could not use JTPA funds for this purpose.

⁴ There is no proof that Mr. DeLuca knew or should have known that Mr. Kane was accepting "gifts" from JTPA grantees or was in fact prejudiced against farmworkers. Mr. DeLuca has a great deal of responsibility, and he relied upon Mr. Kane statements.

Mr. Teddy Mastroianni, Deputy Director of the Office of Job Training Programs, sent a memorandum to Timothy Barnicle, Assistant Secretary of Labor for ETA (MFET EX 04), recommending that the DOL waive competition for all JTPA Section 402 grantees except those in Minnesota, Mississippi, North Dakota, Puerto Rico and South Dakota. The stated reason for competing the MFET grants was:

Within the past year, both ETA and OIG have received a large number of written complaints and allegations from current and former MFET employees, specifically against the Executive Director. These complaints and allegations range from abuse of [JTPA] funds to mistreatment of MFET employees. An audit of MFET is being conducted by the OIG.

On January 13, 1997, Mr. Kane sent a letter to Mr. Reyna (DOL EX 06) which notified him that DOL had not waived competition for their grants, but that MFET was eligible to apply for re-designation. Mr. Kane also focused on the alleged retaliatory termination of three MFET employees who had provided information to the OIG investigators. After Mr. Kane's request (MFET EX 17) MFET indicated that they had reinstated the employees in question. However, there were allegations (DOL EX 18) that the reinstated employees were being harassed by MFET supervisors. On May 19, 1997 OIG provided Mr. DeLuca with tentative findings (DOL EX 23) from its audit of MFET, that MFET management engaged in personnel practices designed to coerce, threaten and intimidate employees into making involuntary fund-raising contributions from their salary into an unrestricted farmworker fund to be used for lobbying DOL employees on behalf of MFET. The OIG report specifically questioned \$9,216 which the OIG opined represented that portion of the involuntary fund-raising contributions that were charged to the JTPA grant as salary costs.

Mr. Shearer, a DMSFP official, drafted a memorandum (MFET EX 20) which summarized the allegations relative to the fund-raising. This draft memorandum was sent to the State of Minnesota Attorney General's Office for use in a state investigation of MFET state funded programs.

MFET through counsel takes a position that the claims of personnel issues were obviously false and were easily disproved. This position is not correct. It was obvious that there were justified complaints from former and past employees as evidenced by the OIG investigation. The OIG creditably alleged that there were a substantial number of employees (28) who provided information relative to alleged abusive personnel practices, the lack of overtime, the contribution to the fund, and the preparation and attendance at fund-raisers. (TX-832-834, Gregory Simmons and OIG auditor). In DOL EX 14, Mr. Reyna agreed to reinstate the employees who had complained of being forced to contribute a portion of their wages to MFET.

MFET also takes a position that the department has not claimed, and there is nothing in the record to suggest, that MFET failed in any way to satisfy any applicable performance

standard. The record does not indicate that MFET training programs were deficient in such a material way as to mandate a disqualification of MFET. I find that the testimony of Gregory Simmons demonstrated that there was no material deficiency or issue of fiscal mismanagement that would mandate disqualification of MFET.

However, the DOL established that Mr. **DeLuca** had substantial evidence to **”re-compete”** the MFET grants. Clearly the DOL objected to Mr. Reyna’s management style. The program **office** had substantial creditable evidence that there was retaliatory termination of MFET employees who had provided information to OIG investigators (DOL EX 05). The employees were in fact reinstated and there were complaints that the reinstated employees were being harassed by MFET. (DOL EX 14, 18). To be fair to Mr. Reyna, he was correct in seeking a lobbyist to deal with DOL, since it was clear that Mr. Kane would be **difficult** to deal with **after** Ms. Hanbery’s October 10, 1996 letter. In that letter,

Ms. Hanbery expressed **MFET’s** suspicion that DMSFP had concluded that the Minnesota Department of Economic Security would operate the section 402 program better than a nonprofit organization whose chief executive officers and controlling board members were Hispanic, Chicano, or Migrant individuals. * * * * * (MFET EX 05)

However, that being said, Mr. Reyna knew that JTPA funds could not be legally used to hire a lobbyist, and forcing employees to contribute for that purpose was also a violation of the grant. There is ample evidence in the record to establish that his personnel actions to raise funds for a lobbyist were improper.

Once MFET was notified that their grants were subject to competition, the **Standards of Ethical Conduct, Executive Order 1274 and 5 C.F.R. 2635** applied.

These regulations provide that:

To insure that every citizen can have complete confidence in the integrity of the Federal Government, each Federal employee shall respect and adhere to the fundamental principles of ethical service as implemented in regulations. ...

(d) An employee shall not, except pursuant to such reasonable exceptions as provided by regulation, solicit or accept any **gift** or other item of monetary value from any person or entity seeking **official** action from, doing business with, or conducting activities regulated by the employee’s agency, or whose interests may be substantially affected by the performance or nonperformance of the employee’s duties.

(h) Employees shall act impartially and not give preferential treatment to any private organization or individual.

(n) Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards promulgated pursuant to this order.

Mr. Kane in his testimony (TX 690) admitted that he knew Mr. Frank Acosta from MET {the **successful** Grantee **after** MFET). He also admitted:

Q. Did he ever send you any packages of food stuff from Texas?

A. Yes

Q. How many times?

A. Some hot sauce and some oranges--grapefruits.

Q. And you received those at the Department, at your **office** in the Department of Labor?

A. No at the home.

Mr. Kane alleged that he sent a check for \$25.00 for the oranges. He said that the hot sauce was bought in Mexico and he did not know its value. He then said that he wanted to say that the hot sauce was worth about \$10.00. He was asked if he received anything else. He then said that Mr. Acosta (an officer of the **successful** grantee) makes **menudo** and he sent some of it to him. (TX 691-693)

Relative to Mr. Kane , his supervisor Anna Goddard, testified:

Q. Okay. Now assuming that Mr. Kane had solicited from a prospective grantee some food stuffs, how would you feel about that?

A. I would disapprove of it.

Q. And what action would you take?

A. I would again tell him not to do that and to reimburse the grantee and not have grantees send anything to his home.

Q. Well, with the instant case here the Petitioner has demonstrated that — and Mr. Kane testified that he did receive cooked goods from a grantee and some oranges from a grantee.

A. I had never heard that.

Q. Okay. The question is did he develop this relationship with the grantee before the grant was given and did that relationship influence the grant. That is the question we have here.

A. My guess is -- and you'd have to ask Mr. Kane. But if he had been doing that I bet he's been getting them for years.

Ms. Goddard testified (TX 1027) that the DOL was at a meeting with some grantees, executive directors of these Section 402 organizations. There was two contractor staff, there was DOL staff, and we were discussing Board Training, these 402 non-profit Board members and their responsibilities regarding oversight of their 402 program, et cetera and several of the participants of the 402 grantees — Mr. Kane — his idea his notion of the training was to have 402 staff take the training. It was a train-the-trainer type format. Take the training and go back and train the Board members. And a couple of the grantees objected to this design and said hey, it would be much better to send the Board members themselves rather than the 402 staff, that it would be like the fox in a chicken coop. You know, the grantee staff are learning — are going to go back and train the grantees — I mean train the Board members on how they're to conduct oversight of the 402 staff. And I agreed with this, that I thought that the Board members — or it should be at least up to the Board who to send. Maybe they **would** send a mix of 402 staff and whatever.

Mr. Kane disagreed with that and said — and he got into a discussion with another grantee who had quite a number of farm workers on his Board, and Mr. Kane said “How can farm workers understand how to run a million dollar organization,” that they would just rubber stamp what the Executive Director said. And then he went on to say that he felt farm workers — farm worker Board members — would not understand the training and further would not be able to go back and train other Board members on the training since it was a train the trainer session.

A DOL staffer **Alica** Fernandez who was at the meeting was a former farm worker, and she was offended by the remarks, since she had been on several Boards before she got her GED and she certainly understood them. Obviously, Mr. Kane's demonstration of prejudice caused problems and he was told by Ms. Goddard not to talk about it further. She was reliably informed that Mr. Kane had continued to make the same disparaging allegations. After discussion with her boss, Mr. Kane was reassigned,

During his testimony Mr. Kane read a statement:

I was removed from my position as division chief of the Division of Migrant and Seasonal Farm Worker Programs because of unsubstantiated allegations about comments I made in a work shop planning session meeting on November 1, 1997 in Quarterline, Ohio. The allegations implied that I was a racist who supported the program I headed was highly questionable, and that my convictions were disgusting. The person who made these allegations asks that I be immediately removed from my position. The Department complied with that request and removed me for the position the same day. **In a memorandum to me about my removal, my office director's supervisor said that she had lost faith and confidence in my ability to effectively carry out my duties as a consequence of my “actions” at the Idaho.** (Emphasis added).

MFET states that approximately one week after Mr. Kane testified on July 27, 1998 the MET Executive Director sent a letter to the Administrative Law Judge in this proceeding for the purpose of defending Mr. Kane's relationship and conduct. MET did not enter an appearance and was not a party. MFET also creditably states, "The very fact that this communication was sent demonstrates that it was in fact solicited by Mr. Kane following his testimony. In addition, the communication makes reference to a very expensive dinner at which Mr. Kane was a participant. Indeed, given the alleged location of this dinner, El Paso, Texas, and the number of participants, it clearly had to be a very lavish affair. Evidently Mr. Kane did not share in the cost of this dinner immediately but rather it appears that he may have paid for the dinner later.

I find the testimony of Ms. Libby Bribiesca Gonzales creditable that she had been offered a job by MET employee Frailan Sendejo prior to the awarding of the grant to MET. I also find credible her statement that MET was told in advance of the award that they had the grant by some one in the Department of Labor. (TX 2 10-2 14)

MFET has proven that MET had charges, namely **Fraud and Misuse of Federal Funds**, and other charges pending against the manager of its Eagle Pass office in the spring of 1997, and was not competed for its existing grants, and was allowed to compete for the MFET grants in Minnesota and North Dakota. Mr. Jones argues that the "Sammy Ibarra" matter was an isolated incident. I respectfully disagree.

Contrary to Mr. Jones' statements relative to Mr. Kane, I specifically find that he was in violation of U.S. Department of Labor ethical standards. His conduct at Quarterline, Ohio indicated that his thinking relative to farmworkers abilities was, at a minimum, prejudicial. The facts, including the multiple items he received from MET and the trip to the MET Texas dinner, indicate that his relationship with MET was too close, and was ethically not correct. It is obvious that a possible MFET grantee could be influenced by his feelings about farmworkers and his acceptance of gifts. Therefore, the process that involved Mr. Kane was tainted supra. MFET credibly argues that MET should be terminated as a Section 402 grantee because of the fraud perpetrated by Sammy Ibarra, the former Director of MET's Eagle Pass, Texas office. Mr. Kane was highly critical of Mr. Reyna's management of his employees; however, embezzlement of funds from the JPTA grant was an "isolated incident rather than evidence that the MET organization was 'not-responsible'." Considering Mr. Kane's friendship with Mr. Acosta and the gifts he received, and the fact that there is no evidence that the embezzled funds were returned, this matter has serious ethical overtones. A prudent Grant Officer, with the knowledge of Mr. Kane's activities and Mr. Acosta's gifts, should terminate MET's grants. MET was required to establish administrative and financial management capability; the gift giving and embezzlement should also lead a prudent person to question their continuation with the Grant Program.

DOL's decision not to waive competition for MFET was reasonable. However, the Complainant has demonstrated that although MFET was invited to compete for the grants, Mr. Kane was receiving gifts, and that MET had a serious problem with JTPA funds. I also find that

the reduction of the point value for the “familiarity with service area” criterion had a negative effect on MFET’s competition for the Grant. The alleged typographical error did in fact compromise the grantee selection process. Ms. Goddard’s testimony relative to this was not creditable. I do not credit Mr. Reyna’s statements that Ms. Pindle and Mr. DeLuca acted with prejudice. However, I credit Mr. Reyna’s statement that Mr. Kane had a lot to do with it. I do not believe that Mr. DeLuca knew of Mr. Kane’s requesting and receiving gifts from Mr. Acosta, nor do I believe that MET would have received grants if he was apprised of this situation. I also note that Mr. DeLuca learned of the MET’s embezzlement at trial. Mr. DeLuca was being given information by Mr. Kane who had not disclosed his relationship with a competing grantee. MFET was at a serious disadvantage relative to MET.

I find that the selection of MET as 402 grantee for Minnesota and North Dakota was made in violation of ethical, statutory and regulatory requirements. Once the U.S. Department of Labor issued Solicitation for Grant applications pursuant to 62 FR 6272-76 for the program years 1997 and 1998 pursuant to the JTPA section 402 and the implementing regulations promulgated by DOL at 20 C.F.R 633.200 *et seq.*, it had an obligation to give each applicant an unbiased opportunity to compete. MFET did not get such an opportunity. The successful competitor, MET, engaged in gift giving to Mr. Kane. This fact together with the embezzlement rendered it unfit to receive the grants for Minnesota and North Dakota.

Mr. Rubin’s testimony that the panel formed an unbiased opinion based upon the criteria before it was creditable. However, **after** review of Mr. Kane’s contact with the process I cannot conclude that MFET was not prejudiced by the “alleged typographical error” which reduced the familiarity criteria from 25 to 15 points. I do not find Ms. Goddard’s testimony creditable; further, she did not know that Mr. Kane was receiving gifts at home from MET. Unfortunately, this Decision may have disturbed the selection of Proteus as the JTPA Section 402 grantee for South Dakota. There is no evidence that Proteus engaged in any improper conduct. There is no evidence of any misconduct on the part of Mr. DeLuca, Ms. Pindle or Ms. Goddard. However, they did not have knowledge of material facts that affected the grant process.

Accordingly I find that MFET was not given a fair opportunity to compete for the JTPA section 402 grants for Minnesota, North Dakota, and South Dakota.

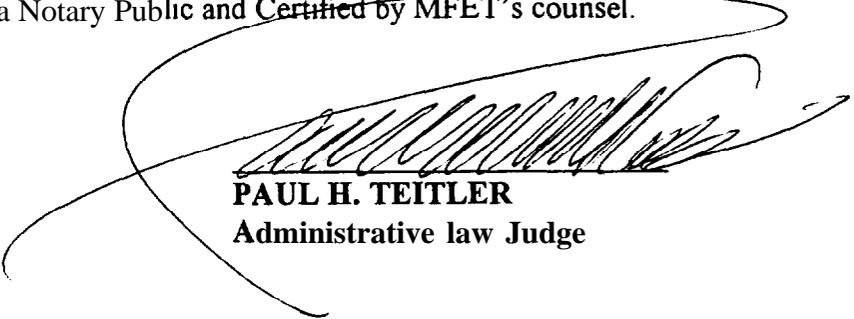
ATTORNEY’S FEES

No award of an attorney’s fee for services to Complainant is made herein because no application for fees has been made by Complainant’s counsel. Thirty (30) days is hereby granted to counsel for the submission of an application for fees conforming to the requirements of 42 U.S.C. § 7622(b)(2)(B). A service sheet showing service has been made to all the parties, including, must accompany the application. Parties have ten (10) days following receipt of such application to file any objections. The Act prohibits the charging of a fee in the absence of an approved application. Counsel is reminded that they were only partially successful, and that a reasonable fee will be paid.

ORDER

IT IS ORDERED that the U.S. Department of Labor, as soon as possible, re-compete the 1997-1998 JTPA Section 402 grants for Minnesota, North Dakota, and South Dakota.

IT IS FURTHER ORDERED that the U.S. Department of Labor reimburse MFET for expenses related to their 1996 grant application and for trial expenses. The application for expenses shall be sworn to before a Notary Public and ~~Certified by MFET's counsel.~~



PAUL H. TEITLER
Administrative law Judge

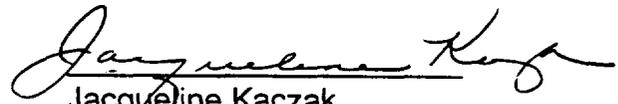
SERVICE SHEET

Case: **MIDWEST FARMWORKER (STATES OF MINNESOTA,
SOUTH DAKOTA, AND NORTH DAKOTA)**

Case No.: **97-JTP-00020
97-JTP-00021
97-JTP-00022**

Title of Document: **DECISION AND ORDER**

I certify that a copy of the above document was sent to the following:


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Dated: September 29, 1998

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