



**Issue Date: 13 September 2011**

Case No.: 2009-LCA-23

In the Matter of:

ADMINISTRATOR WAGE AND HOUR DIVISION  
Prosecuting Party

v.

MULTIVISION, INC,  
Respondent,

**DECISION AND ORDER APPROVING CONSENT FINDINGS**

This proceeding arises under the H1-B provisions of the Immigration and Nationality Act (“INA”), and the applicable regulations issued thereunder at 29 C.F.R. Sections 507 *et seq.*, and 20 C.F.R. Part 655, Subparts H and I. The Administrator, U.S. Department of Labor, Wage and Hour Division (“Administrator”) and Multivision, Inc. (“Multivision”) have filed a Settlement Agreement and Consent Findings to resolve the issues raised by Multivision’s request for a hearing on the Administrator’s finding in an April 8, 2009 Determination Letter that Multivision failed to comply with the provisions of the INA and its regulations governing H-1B workers.

The parties have submitted their Settlement Agreement and Consent Findings, in which they have negotiated settlement of all disputed claims. A review of the Settlement Agreement and Consent Findings shows that they comply with Title 29 C.F.R. § 18.9, and fairly and adequately resolve all issues in this matter. The Settlement Agreement and Consent Findings are incorporated by reference, and hereby APPROVED and ADOPTED in their entirety.

Accordingly, IT IS HEREBY ORDERED that:

1. The Settlement Agreement and Consent Findings are approved.
2. Back wages of \$104,710.01 must be paid by cashier’s check or certified check no later than August 31, 2011 to the Administrator for distribution to Multivision’s employees, as identified in Appendix A, or their estates if necessary, after deduction for the employee’s share of FICA, Medicare, and federal withholding taxes. The Respondent will be responsible for the employer’s share of FICA, Medicare, and other required federal and state tax obligations, and any other statutory or regulatory payment obligations not otherwise named.

3. Civil money penalties in the amount of \$104,562.00 must be paid to the Administrator by cashier's check or certified check in eight quarterly installments plus interest, with the first payment due on December 1, 2011.
4. Multivision agrees to comply with the provisions of the INA and the applicable regulations in the future, with respect to petitioning for and employing H-1B nonimmigrants.
5. Each party agrees to bear its own costs, attorneys' fees and other expenses incurred in connection with any stage in this proceeding, including all costs referenced under the Equal Access to Justice Act.
6. This Decision and Order has the same effect as one made after a full hearing on the merits.
7. The record for this Decision and Order consists solely of the Administrator's Notice of Determination and the attached Settlement Agreement and Consent Findings.
8. Multivision has waived any right to challenge or contest the validity of the Settlement Agreement and Consent Findings or of this Decision and Order.

**SO ORDERED.**

**A**

LINDA S. CHAPMAN  
Administrative Law Judge