



Issue Date: 23 November 2009

CASE NO.: 2009-LCA-00029

In the Matter of:

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

v.

**SAICON CONSULTANTS,
Respondent.**

DECISION AND ORDER APPROVING CONSENT FINDINGS

This is a proceeding arising out of the enforcement provisions relating to labor condition applications for H-1B visas of the Immigration and Nationality Act, as amended (“INA”), 8 U.S.C. § 1101 *et seq.* with implementing regulations appearing at 20 C.F.R. Part 655.800 *et seq.* A hearing in the instant case scheduled to be held before the undersigned administrative law judge for August 21, 2009 in Kansas City, Kansas was cancelled at the request of the parties because they had reached a settlement. On November 13, 2009, counsel for the Administrator of the Wage and Hour Division filed the original of Consent Findings signed by counsel for the parties and by Respondent (by facsimile), the original of which is annexed hereto and incorporated by reference herein, and a draft Decision and Order. The Consent Findings resolve all issues in dispute. I have examined the stipulations of fact and conclusions of law contained therein and conclude that they should be approved.

Accordingly, I now make the following Findings and issue the following Order:

FINDINGS

1. All issues in contest between the Administrator and Respondent have been resolved by the Consent Findings.
2. This Decision and Order incorporating the Consent Findings shall have the same force and effect as an Order made after a full hearing.
3. The entire record on which this Decision and Order is based shall consist solely of the Consent Findings and the July 1, 2009 Determination Letter issued by the District Director.

4. The parties have waived any further procedural steps before the undersigned administrative law judge and the Administrative Review Board as well as any rights to challenge or contest the validity of this Decision and Order entered into in accordance with the agreements contained in the Consent Findings.

5. The Consent Findings comport in all material respects with the requirements of 29 C.F.R. § 18.9, as applicable pursuant to 29 C.F.R. § 655.825.

6. All of the findings, terms and conditions of the Consent Findings are incorporated by reference herein.

ORDER

IT IS HEREBY ORDERED that the Consent Findings be, and hereby are, **APPROVED**, and the parties shall comply with the terms thereof; and

IT IS FURTHER ORDERED that this action be, and hereby is, **DISMISSED WITH PREJUDICE**; and each party shall bear its own costs, expenses, and attorney fees incurred in connection with this action.

A

PAMELA LAKES WOOD
Administrative Law Judge

Washington, D.C.