



Issue Date: 16 May 2012

Case No.: 2011-LCA-57

In the Matter of

ADMINISTRATOR, WAGE AND HOUR DIVISION
Prosecuting Party

vs.

E METHODS, INC.,
Respondent

CONSENT FINDINGS AND ORDER

Pursuant to 29 C.F.R. § 18.9 (1992) the Prosecuting Party, Administrator, Wage and Hour Division (“Administrator”) and Respondent E Methods, Inc., submit these Consent Findings and Order. These Consent Findings and Order constitute a full and final resolution of this action and of all issues raised by the Administrator’s Determination Letter issued to E Methods, Inc. on 6 Jul 11.

This proceeding arises under the Immigration and Nationality Act (INA), with respect to nonimmigrant workers entering the U.S. on H-1B visas, establishes an annual ceiling of 65,000 on the number of aliens (excluding spouses and children) who may be issued H-1B visas. The INA also defines the scope of eligible occupations for which nonimmigrants may be issued the visas and specifies the qualifications that are required for entry as an H-1B nonimmigrant. Employers seeking to employ H-1B nonimmigrants must file a labor condition application with the INA and have it certified by DOL before an alien is given H-1B status. The Department of State issues the visa. The INA establishes the system for the receipt and investigation of complaints, and for the imposition of fines and penalties for misrepresentation or for failure to fulfill a condition of the labor condition application. 29 C.F.R. §507.700 *et seq.*, 20 C.F.R. Part 655, Subparts H and I.

The Administrator and Respondent have filed Consent Findings resolving all issues in dispute in this case relating to Respondent’s contest of the Administrator’s Determination Letter. The Consent Findings are attached hereto and made a part hereof. The Court has examined the stipulations of fact and conclusions of law contained therein and concluded that all issues in contest between the Administrator and Respondent have been resolved. Accordingly,

IT IS ORDERED that the Consent Findings be; and the same hereby are, **APPROVED**, and

Additionally, **IT IS ORDERED** that compensation in the total amount of \$14,970.76 to be paid by Respondent to its former employees, Danish Abassi, Ather Ali, Vel Esakimmuthu, Amit Guatam and Bharath Nagireddy, shall be deemed to be full satisfaction of the backwage claim against Respondent arising out of its employment of these individuals pursuant to the INA and its implementing regulations.

Furthermore, **IT IS ORDERED** that Respondent shall pay civil money penalties to the Administrator, Wage and Hour Division, in the amount of \$18,400 in accordance with the Consent Findings attached hereto.

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

ORDERED this 16th day of May, 2012 at Covington, Louisiana.

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PATRICK M. ROSENOW
Administrative Law Judge