

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 06 May 2011

CASE NO.: 2011-LCA-8

IN THE MATTER OF

ADMINISTRATOR, WAGE AND HOUR DIVISION

Prosecuting Party

v.

GOLDFIELD INTERNATIONAL, INC.

Respondent

DECISION AND ORDER APPROVING CONSENT FINDINGS

This is a proceeding under the H-1B/E3 provisions of the Immigration and Nationality Act, ("INA"), 8 U.S.C. §1101(a)(15)(H)(i)(b) and the applicable regulations issued thereunder at 29 C.F.R. Part 507. The Administrator, United States Department of Labor, Wage and Hour Division ("Administrator") and Goldfield International, Inc. ("Respondent" or "Goldfield"), have filed Consent Findings resolving all issues in dispute in this case relating to Goldfield's contest of the Administrator's findings regarding its compliance with the H-1B/E3 provisions of the INA. 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 concludes that all issues in contest between the Administrator and Goldfield have been resolved. Accordingly,

IT IS ORDERED that the Consent Findings be, and the same hereby are, **APPROVED**, and **IT IS FURTHER ORDERED** that prevailing wage compensation in the total amount of \$44,463.00 to be paid by Goldfield to its former employee, Neil Kinnane, shall be deemed to be full satisfaction of the back wage claim against Goldfield arising out its employment of this person, and that the Consent Findings be made a part of the record.

ORDERED this 6th day of May, 2011, at Covington, Louisiana.

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LEE J. ROMERO, JR.
Administrative Law Judge

NOTICE OF APPEAL RIGHTS: To appeal, you must file a Petition for Review ("Petition") that is received by the Administrative Review Board ("Board") within thirty (30) calendar days of the date of issuance of the administrative law judge's decision. See 20 C.F.R. § 655.845(a). The Board's address is: Administrative Review Board, U.S. Department of Labor, Room S-5220, 200 Constitution Avenue, NW, Washington, DC 20210. Once an appeal is filed, all inquiries and correspondence should be directed to the Board.

At the time you file the Petition with the Board, you must serve it on all parties as well as the administrative law judge. See 20 C.F.R. § 655.845(a).

If no Petition is timely filed, then the administrative law judge's decision becomes the final order of the Secretary of Labor. Even if a Petition is timely filed, the administrative law judge's decision becomes the final order of the Secretary of Labor unless the Board issues an order within thirty (30) days of the date the Petition is filed notifying the parties that it has accepted the case for review. See 29 C.F.R. § 655.840(a).