U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 11 July 2011

CASE NO.: 2011-LCA-12

In the Matter of:

ADMINISTRATOR, WAGE AND HOUR DIVISION,
Prosecuting Party

v.

REDUCTION ENGINEERING, INC.,
Respondent

DECISION AND ORDER APPROVING SETTLEMENT AGREEMENT AND CONSENT FINDINGS AND CANCELLING HEARING

This proceeding arises under the provisions of the Immigration and Nationality Act ("INA"), 8 U.S.C. § 1101 *et seq*., and the implementing regulations found at 20 C.F.R. Part 655, Subparts H and I. On January 7, 2011, the Administrator issued a determination that the Respondent violated the INA failing to pay wages as required by the INA, failing to provide notice of the filing of the Labor Condition Application ("LCA"), and failing to maintain documentation as required.

The Administrator determined that the Respondent owed back wages in the amount of $43,588.37. The Respondent, pursuant to 20 C.F.R. Part 655.820, timely filed a request for review of the Administrator's determination. A formal hearing was scheduled to begin on July 26, 2011 in Kent, Ohio. On June 28, 2011, the parties submitted a signed Settlement Agreement and Consent Findings ("Agreement"). Upon review of the Agreement, I find that the terms are fair and reasonable and in substantial compliance with 29 C.F.R. § 18.9(b) and it is approved. Accordingly,

IT IS ORDERED THAT:

1. This Order shall have the same force and effect as an order made after a full hearing.
2. The entire record on which this Order is based consists solely of the Determination letter issued by the Administrator and the Settlement Agreement.
3. The parties are hereby deemed to have waived any further procedural steps before the Office of Administrative Law Judges, Administrative Review Board, or the Secretary of Labor regarding matters that are subject to the Settlement Agreement.

4. The parties are hereby deemed to have waived any right to challenge or contest the validity of this Decision and Order entered into in accordance Settlement Agreement.
5. The Agreement and this Order shall constitute the full, final, and complete adjudication of this proceeding.
6. The hearing scheduled for July 26, 2011, in Kent, Ohio, is CANCELLED.

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RICHARD A. MORGAN
Administrative Law Judge