

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 19 November 2012

CASE NO.: 2012-LCA-00045

OWCP NO.: 1562114

IN THE MATTER OF

ADMINISTRATOR, WAGE AND HOUR DIVISION
Prosecuting Party

ANDREW MAY
Claimant

v.

TEXAS TIMBER AND CONSTRUCTION
Respondent

DECISION AND ORDER, AND CANCELLING HEARING

This is a proceeding under the H-1B provisions of the Immigration and Nationality Act (“INA”), 8 U.S.C. §1101(a)(15)(H)(i)(b), and the applicable regulations issued there under at 29 C.F.R. Part 507. 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 marked for identification as ALJ No.1 and 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 (ALJ No. 1) be, and the same hereby are, APPROVED, and

Additionally, IT IS ORDERED, that back wages in the amount of \$8,751.20, plus interest in the amount of \$47.48, for a total of \$8,798.68, to be paid by Respondent to its former employee, Andrew May, shall be deemed to be full satisfaction of the back wage claim against Respondent arising out of its employment of this individual pursuant to the INA and its implementing regulations.

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

ORDERED this 19th day of November, 2012 at Covington, Louisiana.

YOU ARE HEREBY NOTIFIED that a hearing on the above entitled claim which was to be held before an Administrative Law Judge of the U.S. Department of Labor, on **December 7, 2012**, at **1:00 p.m.**, in **HOUSTON, TX.**, is cancelled.

CLEMENT J. KENNINGTON
Administrative Law Judges