



Issue Date: 28 January 2013

CASE NO.: 2012-LCA-00033

In the Matter of:

ADMINISTRATOR, WAGE AND HOUR DIVISION,
Prosecuting Party,

v.

DREAMWORLD STUDIOS, Inc.
Respondent.

DECISION AND ORDER
BASED ON SETTLEMENT AGREEMENT

This matter arises under the Immigration and Nationality Act H-1B visa program, 8 U.S.C. § 1101 (a)(15)(H)(i)(b) ("Act") and the implementing regulations at 20 C.F.R. Part 655, Subparts H and I. DreamWorld Studios, Inc. challenges the Determination Letter issued by the Administrator, Wage and Hour Division (Administrator) on April 27, 2012. The Administrator found that DreamWorld owed \$7,000 in backwages to one H-1B nonimmigrant worker. DreamWorld challenges this determination.

On October 31, 2012, I received notice that DreamWorld and the Administrator settled the case. On January 22, 2013, I received a copy of the executed Settlement Agreement. The Settlement Agreement is incorporated into this decision by reference and its terms and conditions shall control the resolution of this matter.

I find that DreamWorld Studios, Inc. violated 20 C.F.R. § 655.731 by failing to pay wages as required and shall pay backwages in the amount of \$7,000.00 plus interest. The parties agree that the Settlement Agreement becomes final and effective on the date of this order and waive their rights for appeal or further review of this matter. Costs, attorney's fees and other expenses incurred by each party are the sole responsibility of that party.

Having examined the record, specifically the Determination Letter and the Settlement Agreement, I find the Settlement Agreement complies with 29 C.F.R. § 18.9. Therefore, I **APPROVE** the Settlement Agreement.

ORDER

DreamWorld Studios, Inc. shall pay \$7,000.00 plus interest in backwages in the manner defined in the Settlement Agreement. DreamWorld Studios, Inc. shall comply with the provisions of the Immigration and Nationality Act and the regulations promulgated thereunder, specifically with respect to petitioning for and employing H-1B nonimmigrant workers.

SO ORDERED.

STEPHEN M. REILLY
Administrative Law Judge