

U.S. Department of Labor

Office of Administrative Law Judges
5100 Village Walk, Suite 200
Covington, LA 70433



(985) 809-5173
(985) 893-7351 (Fax)

Issue Date: 18 October 2012

CASE NO.: 2012-LCA-16

IN THE MATTER OF

**ADMINISTRATOR, WAGE AND HOUR DIVISION
U.S. DEPARTMENT OF LABOR**

Prosecuting Party

v.

JVR SYSTEMS, INC.

Respondent

**DECISION AND ORDER APPROVING
SETTLEMENT AGREEMENT AND CONSENT FINDINGS**

This matter arises under the H-1B provisions of the Immigration and Nationality Act (hereinafter INA or the Act), 8 U.S.C. § 1101, et seq., and its implementing regulations at 29 C.F.R. Part 507, et seq., and, more specifically, 20 C.F.R. Part 655 relating to Labor Condition Applications for H-1B non-immigrants (herein LCA).

On or about January 17, 2012, Respondent filed a request for an administrative hearing, pursuant to 20 C.F.R. § 655.820, before the Office of Administrative Law Judges challenging the determination of the Administrator dated January 4, 2012, that Respondent failed to pay wages as required in violation of 20 C.F.R. § 655.731 and 8 U.S.C. § 1182(n)(2)(C)(vi) and the imposition of a civil money penalty of \$5,400.00.

On October 9, 2012, the parties submitted the attached Settlement Agreement and Consent Findings incorporated herein and attached hereto as Attachment 1 to be approved pursuant to 29 C.F.R. § 18.9. I have carefully reviewed the terms of the Settlement Agreement and Consent Findings and find them to be

fair and reasonable and in substantial compliance with the requirements of 29 C.F.R. §18.9(b). Pursuant to the terms of the Settlement Agreement and Consent Findings, the parties agree that such constitutes full and complete settlement of all issues in the above-captioned matter.

Accordingly,

IT IS HEREBY ORDERED that:

1. The Settlement Agreement and Consent Findings be **APPROVED**, as a full, final and complete adjudication of this proceeding;

2. This Order shall have the same force and effect as an Order made after full hearing;

3. The entire record upon which this Order is based shall consist solely of the Administrator's Determination Letter and the Settlement Agreement and Consent Findings executed by the parties;

4. Any further procedural steps before this office are waived; and

5. Any rights to challenge or contest the validity of this Order entered into in accordance with this agreement are hereby waived.

IT IS FURTHER ORDERED that this matter is hereby dismissed with prejudice.

ORDERED this 18th day of October, 2012, at Covington, Louisiana.

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 20 C.F.R. § 655.840(a).