



Issue Date: 13 May 2014

In the Matter of:

Case No.: 2014-LCA-00003

**WAGE AND HOUR DIVISION,
Claimant,**

v.

**ERIN'S ISLE, INC.,
Employer,**

APPROVAL OF CONSENT FINDINGS AND ORDER

This matter arises under the H-1B provisions of the Immigration and Nationality Act (INA), and the applicable regulations issued thereunder at 29 C.F.R. § 507 *et seq.*

On April 18, 2014, the parties submitted a proposed *Consent Findings and Order*, executed by the parties, which I hereby **adopt and approve in its entirety**. The proposal includes, *inter alia*, the following key terms:

1. The Administrator amends the December 10, 2013, Determination Letter to allege that Respondent owes gross back wages in the total amount of \$53,109 to Siobhan Cummins.
2. Without admitting the violations alleged, Respondent agrees to pay \$53,109, by cashier's or certified check or money order in said amount payable to "Wage and Hour Division—Labor" upon issuance of this Order. Should Respondent fail to make any of such payment(s), as scheduled, the entire unpaid balance shall become due and payable, together with such court costs as may be incurred by the U.S. Department of Labor to collect such amounts. The payment shall be sent the following address:

U.S. Department of Labor
Wage and Hour Division
Room 7M40
61 Forsyth Street, SW
Atlanta, Georgia 30303

3. The Administrator, thereupon, shall distribute the proceeds of such check or money order, less deductions for federal income taxes and employee contributions to F.I.C.A., as required by law, to Siobhan Cummins, or to her personal representative, and any amounts not so distributed by the Administrator within the period of three years after date of these

Findings, because of inability to locate the proper persons or because of such persons' refusals to accept such sums, shall be deposited into the Treasury of the United States as miscellaneous receipts. Respondent shall remain responsible for the employer's share of the F.I.C.A. arising from or under back wages paid hereunder.

4. Respondent withdraws its Request for Hearing filed in this matter.

The Office of Administrative Law Judges retains Jurisdiction, including the authority to issue any additional orders or decrees necessary, to effectuate the implementation of the provisions of the Consent Findings and Order.

IT IS FURTHER ORDERED that this case is **REMANDED** to the District Director for further administrative processing.

CHRISTINE L. KIRBY
Administrative Law Judge

Washington, D.C.