



Issue Date: 11 January 2016

Case No.: 2015-LCA-00022

In the Matter of

ADMINISTRATOR, WAGE AND HOUR DIVISION,
Prosecuting Party

v.

EBS HEALTHCARE, INC.,
Respondent

**FINAL ORDER APPROVING THE PARTIES’
CONSENT FINDINGS; AND CANCELLING HEARING AND
ALL ASSOCIATED DEADLINES AND REQUIREMENTS**

This matter arises pursuant to the Immigration and Nationality Act, and the regulations governing temporary employment of Aliens in the United States. 8 U.S.C. § 1101(a)(15)(H)(1)(b); 20 C.F.R. part 655, subparts H & I.

On January 5, 2016, the parties submitted their Consent Findings to me for my approval, which are herein incorporated by reference. Having reviewed the parties’ Consent Findings, I make the following findings:

- 1) The Consent Findings appear to be fair and reasonable, and reflect a fair and reasonable settlement.
- 2) Among other things, the Respondent has agreed to pay back wages as delineated in the Consent Findings.¹
- 3) This Final Order shall have the same force and effect as one made after a full hearing on the merits.
- 4) The parties are deemed to have waived any further proceedings before an administrative law judge of the U.S. Department of Labor and the Administrative Review Board regarding the matters that are the subject of this litigation.
- 5) The parties each agree to bear their own attorney fees and other expenses incurred by these proceedings.

¹ The Consent Findings state that the back wage payment will be made by January 15, 2015. I presume this is a typographical error, and the parties agreed that the Respondent will pay the back wages by January 15, 2016.

Accordingly, I hereby **APPROVE** the parties' Consent Findings. These Consent Findings constitute my findings of fact and conclusions of law and constitute my full, final and complete adjudication of this proceeding.

Based on my approval of the parties Consent Findings, the hearing (presently scheduled for January 21, 2016) and all associated deadlines and requirements are **CANCELLED**.

ADELE H. ODEGARD
Administrative Law Judge

Cherry Hill, New Jersey

NOTICE OF APPEAL RIGHTS: Any interested party desiring review of this Decision and Order may file a petition for review with the Administrative Review Board (Board) pursuant to 20 C.F.R. § 655.845.

The Board's address is: Administrative Review Board, U.S. Department of Labor, Suite S-5220, 200 Constitution Avenue, NW, Washington DC 20210, for traditional paper filing. Alternatively, the Board offers an Electronic File and Service Request (EFSR) system. The EFSR for electronic filing (eFile) permits the submission of forms and documents to the Board through the Internet instead of using postal mail and fax. The EFSR portal allows parties to file new appeals electronically, receive electronic service of Board issuances, file briefs and motions electronically, and check the status of existing appeals via a web-based interface accessible 24 hours every day. No paper copies need be filed.

An e-Filer must register as a user, by filing an online registration form. To register, the e-Filer must have a valid e-mail address. The Board must validate the e-Filer before he or she may file any e-Filed document. After the Board has accepted an e-Filing, it is handled just as it would be had it been filed in a more traditional manner. e-Filers will also have access to electronic service (eService), which is simply a way to receive documents, issued by the Board, through the Internet instead of mailing paper notices/documents.

Information regarding registration for access to the EFSR system, as well as a step by step user guide and FAQs can be found at: <https://dol-appeals.entellitrak.com>. If you have any questions or comments, please contact: Boards-EFSR-Help@dol.gov

If filing paper copies, you must file an original and four copies of the petition for review with the Board, together with one copy of this decision. If you e-File your petition only one copy need be uploaded.

If no petition for review is filed, this Decision and Order becomes the final order of the Secretary of Labor. *See* 20 C.F.R. § 655.840(a). If a petition for review is timely filed, this Decision and Order shall be inoperative unless and until the Board issues an order affirming it, or, unless and until 30 calendar days have passed after the Board's receipt of the petition and the Board has not issued notice to the parties that it will review this Decision and Order.