



Issue Date: 10 May 2018

CASE NO.: 2016-LCA-00035

In the Matter of:

ADMINISTRATOR, WAGE & HOUR DIVISION,
Prosecuting Party,

v.

ANTHONY GUADAGNO, AN INDIVIDUAL, AND
GUADAGNO & SONS AMUSEMENTS
DBA G&S SHOWS,
Respondents.

DECISION AND ORDER APPROVING SETTLEMENT

This matter arises under the H-2B provisions of the INA, as amended, 8 U.S.C. §§ 1101(a)(15)(H)(ii)(b) *et seq.*, 1184(c)(14), and 20 C.F.R. Part 655, subpart A (2008) and the applicable procedural regulations at 29 C.F.R. Part 503 (2015). A hearing is scheduled for June 6 and 7, 2018, in Long Beach, California. The Administrator issued a Notice of Determination on August 18, 2016, finding that the wage offered by Respondents to the H-2B workers did not equal or exceed the highest of the prevailing Federal, State, or local minimum wage. Respondents timely requested a hearing at this Office.

On May 8, 2018, the parties submitted Consent Findings for approval that resolved all issues pending for hearing.¹ I have reviewed the Consent Findings and find the terms and conditions to be fair, adequate and reasonable, and I am satisfied with their form and substance. The Consent Findings also address and comply with the requirements listed in 29 C.F.R. § 503.49. I approve the Consent Findings and adopt the terms and conditions as findings by this Office and incorporate them by reference into this Order. The parties are ordered to carry out the provisions of the Consent Findings. All dates are vacated. The matter is dismissed with prejudice.

SO ORDERED.

RICHARD M. CLARK
Administrative Law Judge

¹ On April 10, 2018, the Administrator filed a Motion for Summary Decision. By agreement of the parties, no response was required by Respondent. Since the parties have settled the matter, the motion is moot and no ruling will be made.