

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 03 June 2016

CASE NO.: 2016-LCA-00012

In the Matter of:

ADMINISTRATOR, WAGE AND HOUR DIVISION,
Prosecuting Party,

vs.

COMMONWEALTH UTILITIES CORPORATION,
Respondent.

DECISION AND ORDER APPROVING CONSENT FINDINGS

This matter arises from a determination issued on January 11, 2016, by the Administrator of the Department of Labor's Wage and Hour Division ("the Administrator" or "Prosecuting Party") alleging a violation of the H-1B provisions of the Immigration and Nationality Act of 1952 as amended. 8 U.S.C. § 1182(n). The Administrator concluded after an investigation that the Respondent failed to pay wages as required to one nonimmigrant H1-B worker and owed \$17,577.00 to the affected worker. Respondent timely requested a hearing before the Office of Administrative Law Judges ("OALJ") on January 29, 2016.

On June 1, 2016, the Prosecuting Party filed Consent Findings signed by both parties which resolves the issues in this case. Respondent has agreed to pay in full the back wages owed to the affected worker, Maria Lazaro, less deductions for her share of Social Security and withholding taxes. Respondent will also be responsible for the employer share of the employment taxes. Respondent will deliver the back wages owed to the Assistant District Director of the Wage and Hour Division in Guam within seven days after this Decision and Order is issued.

It is hereby ORDERED that the Consent Findings submitted by the parties is APPROVED.¹ It is further ORDERED that the Consent Findings shall be made a part of this Order.

JENNIFER GEE
Administrative Law Judge

¹ There is currently pending before me a motion for summary decision that the Prosecuting Party filed on May 4, 2016. The filing and approval of these Consent Findings renders the motion for summary decision moot.