

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 25 April 2016

Case No.: 2016-LCA-00002

In the Matter of

**ADMINISTRATOR, WAGE AND HOUR
DIVISION**

Prosecuting Party

v.

FISCHER HEALTH AND REHAB CENTER LLC

Respondent

and

Case No.: 2016-LCA-00005

In the Matter of

VIRGILIO R. RUIZ, JR.

Prosecuting Party

v.

FISCHER HEALTH AND REHAB CENTER LLC

Respondent

**FINAL ORDER APPROVING THE PARTIES'
CONSENT FINDINGS**

These matters arise under the Immigration and Nationality Act, 8 U.S.C. § 1101, *et seq.* as amended by the Immigration Reform and Control Act of 1986, Pub. L 99-603, § 301, 100 Stat. 3359, 341, and the implementing regulations at 20 C.F.R. Part 655. A hearing is scheduled for Monday, May 2, 2016 in New York City, New York

On April 18, 2016, the original Consent Findings were received in the Cherry Hill, New Jersey Office of Administrative Law Judges for my approval. Having reviewed the parties' Consent Findings, which are hereby incorporated by reference, I make the following findings:

- 1) The Consent Findings appear to be fair and reasonable, and reflect a fair and reasonable settlement.
- 2) The Respondent agrees to pay \$60,000.00 in back wages to Mr. Virgilio Ruiz, Jr.
- 3) Respondent shall make payment of the back wages in accordance with the following installment payment schedule:
 - Upon execution of this Agreement: \$25,000.00
 - On or before May 1, 2016: \$ 7,000.00
 - On or before June 1, 2016: \$ 7,000.00
 - On or before July 1, 2016: \$ 7,000.00
 - On or before August 1, 2016: \$ 7,000.00
 - On or before September 1, 2016: \$ 7,000.00
- 4) Payment shall be made by delivering lump-sum checks in the amounts set forth in ¶ 3, less the appropriate deductions for social security and withholding taxes, made payable to “**Virgilio Ruiz, Jr.**” to Mr. Ruiz’s attorney at the following address: **Felix Q. Vinluan, Esq., Law Office of Felix Q. Vinluan, 69-10 Roosevelt Avenue, 2nd Floor, Woodside, NY 11377.**
- 5) The parties agree that an Order disposing of this proceeding shall have the same force and effect as an Order made after a full hearing pursuant to 20 C.F.R. § 655.840 in accordance with 29 C.F.R. § 18.71(b)(1).

Accordingly, I hereby **APPROVE** the parties’ Consent Findings.

The hearing scheduled for Monday, May 2, 2016 at 11:00 a.m. in New York City, New York is **CANCELLED**

THERESA C. TIMLIN
Administrative Law Judge