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Issue Date: 24 July 2019

CASE NO.: 2019-LCA-3

In the Matter of:

WAGE AND HOUR DIVISION,
Prosecuting Party

v.

VQUEST TECHNOLOGIES, LLC,
Employer

**DECISION AND ORDER APPROVING SETTLEMENT AGREEMENT
AND CONSENT FINDINGS**

This matter arises under the Immigration and Nationality Act (“INA”) of 1952, P.L. 82-414, 66 Stat. 163, as amended by the Immigration Act of 1990, P.L. 101-649, 104 Stat. 4978, the Miscellaneous and Technical Immigration and Naturalization Amendments of 1991, P.L. 102-232, 105 Stat. 1733, and the American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) (Title IV of Pub. L. 105-277, Oct. 21, 1998; 112 Stat. 2681) found at 8 U.S.C. § 1101, et seq., and 8 U.S.C. § 1101(a)(15)(H)(i)(b).

On January 9, 2019, Respondent, VQuest Technologies, LLC (“Respondent”) and the Administrator, Wage and Hour Division, U.S. Department of Labor (“Administrator”), (collectively, “the parties”), jointly requested the appointment of a mediator in this that matter. As a result, the matter was referred to the Office of Administrative Law Judge’s Mediation Program. On July 3, 2019, I was notified that the parties settled the case through mediation and was provided a copy of the signed Settlement Agreement and Consent Findings for approval. The parties agree to resolve this matter in accordance with the terms and conditions of the settlement agreement. The terms of the Settlement Agreement, Appendix A attached thereto and Consent Findings are incorporated herein by reference.

Having reviewed the Settlement Agreement executed by the parties, I find and conclude that the settlement agreement is appropriate in form and substance, clearly detail the respective duties and obligations of the parties, is fair, adequate, and reasonable, and was not procured by duress.

I further find:

1. Respondent and Administrator agree and stipulate, pursuant to 29 CFR § 18.9, to the approval of this Settlement Agreement and Consent Findings (“Settlement Agreement”) and to the entry of a Decision and Order (“Order”) based thereon without contest.
2. Any Order entered herein shall have the same force and effect as an Order made after a full hearing.
3. The entire record on which the Order entered herein in Case No. 2019-LCA-3, is based shall consist of the Determination Letter, issued by the Administrator, as amended by Appendix A attached to the Settlement Agreement, and the executed Settlement Agreement.
4. Respondent agrees to pay Administrator, to resolve monetary issues set forth in the Administrator’s Determination Letter, the back wage amount of \$8,859.40 to be paid to Anupama Verma. Respondent also agrees to pay civil money penalties totaling \$300.00. The payments shall be made in the manner provided by, and in accordance with, the provisions of the Settlement Agreement.
5. This Decision and Order Approving Settlement Agreement and Consent Findings constitutes the final administrative order, which the parties are bound by, and shall implement as contained therein.
7. The Settlement Agreement shall become final and effective immediately upon approval by the undersigned Administrative Law Judge.
8. Each party shall bear its own costs, attorney’s fees and other expenses incurred in connection with any stage of this proceeding.

Accordingly, as the parties have resolved all issues, I APPROVE the parties’ Settlement Agreement and Consent Findings and the parties are directed to carry out the terms of the settlement agreement.

SO ORDERED.

NATALIE A. APPETTA
Administrative Law Judge