



**Issue Date: 10 August 2020**

Case No.: 2018-SCA-00004

In the Matter of:

**FORT AMERICA, INC. and  
NATALIE GUSTAFSON**  
Respondents

**ORDER APPROVING CONSENT FINDINGS**

This matter arises from the complaint filed on October 31, 2017, by the Administrator of the Wage and Hour Division of the U.S. Department of Labor (“Administrator”) against Fort America, Inc. and Natalie Gustafson individually (“Respondents”) pursuant to the McNamara-O’Hara Service Contract Act of 1965 (“SCA”), 41 U.S.C. § 6701, *et seq.*, and the Contract Work Hours and Safety Standards Act (“CWHSSA”), 40 U.S.C. §3701, *et seq.*, and the implementing regulations, 29 C.F.R. Parts 4, 5, and 6.

Upon investigation, under the SCA and CWHSSA, of the wages paid to Respondents’ employees from July 24, 2010, through July 23, 2015, the Administrator determined that Respondents owed back wages to nineteen employees in the total amount of \$232,386.93. The complaint the Administrator filed on October 31, 2017, documents these findings and also indicates that the Administrator intends to pursue debarment of Respondents.

On July 31, 2020, after conducting settlement negotiations, the parties submitted fully executed Consent Findings, which are incorporated herein by reference and which (subject to compliance with the Consent Findings) fully and finally resolve all issues arising from the October 31 complaint. The Consent Findings are signed by Ms. Gustafson (individually and as owner and Vice President of Fort America, Inc.), counsel for Respondents, and counsel for the Administrator. The Consent Findings were filed in compliance with 29 C.F.R. §§ 6.18 and 18.71.

Pursuant to the Consent Findings, the parties agree that Respondents will pay \$232,386.93 in back wages within thirty days of this order. If Respondents comply, the Administrator will not pursue debarment at this time. If Respondents fail to comply with the Consent Findings, they will be subject to debarment for a period of three years. Moreover, if at any point in the three years following this order, the Administrator determines Respondents violated the SCA or its implementing regulations, Respondents will be subject to automatic debarment for a period of three years.

I have reviewed the Consent Findings, and I find they are fair and reasonable. Accordingly, upon request of the parties, I hereby **APPROVE** and **ADOPT** the Consent

Findings, and I **ORDER** the parties to comply with the provisions set forth therein. This matter is hereby **DISMISSED**.

**SO ORDERED.**

**LAUREN C. BOUCHER**  
Administrative Law Judge

Cherry Hill, New Jersey