



Issue Date: 14 March 2018

BALCA Case No.: 2018-TAE-00001

In the Matter of:

LOZANO'S HARVESTERS,
Employer.

ORDER APPROVING CONSENT FINDINGS

This proceeding arises under the H-2A provisions of the Immigration and Nationality Act ("INA"), as amended by the Immigration Reform and Control Act ("IRCA"), 8 U.S.C. §§ 1101(a)(15)(H)(ii)(a), 1184(c), and 1186, and regulations found at 20 C.F.R. Part 655 and 29 C.F.R. Part 501.

On November 4, 2016 the Assistant District Director, Wage and Hour Division, U.S. Department of Labor, issued a determination letter to Respondent assessing a civil money penalty ("CMP") for violations of the INA. Respondent requested a hearing challenging the Administrator's determination.

On March 12, 2018, the Administrator filed a Settlement Agreement and Consent Findings. Respondent agreed to pay civil money penalties of \$5,000.00 on or before March 16, 2018 and a second installment of \$3,500.00 on or before April 16, 2018.

29 C.F.R. § 501.40(d) provides that the presiding Administrative Law Judge shall accept any agreement containing consent findings if he or she is "satisfied with its form and substance." After reviewing its terms, the undersigned is satisfied that the agreement conforms to the requirements set forth in § 501.40(b)(1)-(4) and is a satisfactory resolution of the issues previously contested.

The terms of the Consent Findings filed on March 12, 2018 are APPROVED, and adopted and incorporated in full into this Order. This case is DISMISSED.

SO ORDERED this day at Covington, Louisiana.

TRACY A. DALY
Administrative Law Judge