

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 31 August 2012

CASE NO.: 2012-TNE-00004

In the Matter of:

ADMINISTRATOR, WAGE AND HOUR DIVISION,
U.S. DEPARTMENT OF LABOR,
Prosecuting Party,

v.

MP FORESTRY,
Respondent.

DECISION AND ORDER APPROVING CONSENT FINDINGS

This is a proceeding under the H-2B provisions of the Immigration and Nationality Act (INA), 8 U.S.C. § 1101(a)(15)(ii)(b), as amended, and the implementing regulations at 20 C.F.R. § 655.700 *et seq.* This matter is scheduled for trial on September 6, 2012, in Eugene, Oregon.

On August 30, 2012, the Administrator and the Respondent filed consent findings resolving all issues in dispute relating to Respondent's contest of the Administrator's findings regarding its compliance with the H-2B provisions of the INA. I have examined the stipulations of fact and conclusions of law contained in the consent findings and conclude that all issues in contest between the Administrator and Respondent have been resolved. I adopt and incorporate the consent findings into this decision and order. Accordingly, the consent findings are hereby approved.

Respondent shall pay civil money penalties to the Administrator, Wage and Hour Division, in the amount of \$12,500 and back wages to Rhonda Beckemeyer and Kim Heizer in the amount of \$500.50 each, according to the schedule set forth in ¶¶ 4b and 4c of the consent findings.

The consent findings shall be made part of the record and are adopted as the final disposition of this matter. The trial date is vacated. All pending motions are withdrawn.

SO ORDERED.

RICHARD M. CLARK
Administrative Law Judge