

**U.S. Department of Labor**

Office of Administrative Law Judges  
5100 Village Walk, Suite 200  
Covington, LA 70433



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**Issue Date: 10 December 2013**

**CASE NO.: 2013-TNE-14**

**IN THE MATTER OF**

**ADMINISTRATOR, WAGE AND HOUR DIVISION**

**Prosecuting Party/Complainant**

**v.**

**ALL METROPLEX LANDSCAPE SERVICES, INC.**

**Respondent**

**DECISION AND ORDER**

Pursuant to 29 C.F.R. § 18.9, the parties to this action, Prosecuting Party, the Principal Deputy Administrator for the Wage and Hour Division of the United States Department of Labor and Respondent, All Metroplex Landscape Services, Inc., have negotiated and executed these Consent Findings (a copy of which is appended hereto and the recitations of which are deemed to constitute any findings and conclusions). These Consent Findings constitute a full and final resolution of this action and of all issues raised by the Determination Letter issued to All Metroplex Landscape Services, Inc. on July 24, 2012 with respect to the employment of H-2B workers and the H-2B regulation requirements at its place of employment located at All Metroplex Landscape Services, Inc., 11019 Denton Dr., Dallas, TX 75229. Accordingly, it is **ORDERED**:

1. That the Consent Findings be and the same hereby are **APPROVED**,
2. That the parties be and are bound by the terms of said instrument and shall comply therewith; and

3. That \$5,000.00 be paid by All Metroplex Landscape Services, Inc. to the Department of Labor by December 20, 2013 and shall be deemed to be full and final satisfaction of all contested issues arising out of Respondent's employment of H-2B workers during the 2010 and 2011 seasons.

Finally, it is **ORDERED** that the Consent Findings be made part of the record.

**ORDERED** this 10<sup>th</sup> day of December, 2013, at Covington, Louisiana.

LEE J. ROMERO, JR.  
Administrative Law Judge

**NOTICE OF APPEAL RIGHTS:** To appeal, you must file a Petition for Review ("Petition") that is received by the Administrative Review Board ("Board") within thirty calendar days of the date of issuance of the administrative law judge's decision. See 20 C.F.R. §655.76(a). The Board's address is: Administrative Review Board, U.S. Department of Labor, Room S-5220, 200 Constitution Ave, NW, Washington, D.C. 20210

At the time you file the Petition with the Board, you must serve it on all parties to the case as well as the administrative law judge. 20 C.F.R. § 655.76(a).

No particular form is prescribed for the Petition, however, any such petition shall:

- (1) Be dated;
- (2) Be typewritten or legibly written;
- (3) Specify the issue or issues stated in the administrative law judge decision and order giving rise to such petition;
- (4) State the specific reason or reasons why the party petitioning for review believes such decision and order are in error;
- (5) Be signed by the party filing the petition or by an authorized representative of such party;
- (6) Include the address at which such party or authorized representative desires to receive further communications relating thereto and
- (7) Attach copies of the administrative law judge's decision and order, and any other record documents which would assist the Board in determining whether review is warranted.

20 C.F.R. §655.76(b). If the Board determines that it will review the ALJ's decision and order, it will issue a notice specifying (1) The issue or issues to be reviewed; (2) The form in which submissions shall be made by the parties (e.g., briefs); and (3) The time within which such submissions shall be made. When filing any document with the Board, the party must file an original and two copies of the document. 20 C.F.R. §655.76(e).

