

UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES
BOSTON, MASSACHUSETTS

Issue Date: 08 October 2014

CASE NO.: 2014-TNE-00019

In the Matter of:

**ADMINISTRATOR, WAGE AND HOUR DIVISION,
UNITED STATES DEPARTMENT OF LABOR,**
Prosecuting Party,

v.

JACKIE'S TOO,
Respondent.

DECISION AND ORDER APPROVING CONSENT FINDINGS

This matter arises from the request for hearing filed by the Respondent in the above matter, which arises from the Secretary of Labor's enforcement of H-2B provisions of the Immigration and Nationality Act, 8 U.S.C. §1101(a)(15)(H)(ii)(b), as amended, and the implementing regulations set forth at 20 C.F.R. Part 655, Subpart A. The Notice of Hearing was issued on September 12, 2014. On October 6, 2014, the parties filed a Settlement Agreement and Consent Findings. I have reviewed the parties' Consent Findings, and find them to be fair and adequate. Accordingly, the consent findings are approved and IT IS HEREBY ORDERED:

1. These Consent Findings are incorporated by reference in this Order and are hereby approved.
2. The Respondent shall pay a civil penalty of \$7,236.44 on or before October 7, 2014.
3. The Respondent will comply in all respects with the Act and applicable regulations in the future as set forth in ¶ 4c of the consent findings.
4. Jurisdiction, including the authority to issue any additional orders or decrees necessary to effectuate the terms of the Agreement is retained by the U.S. Department of Labor, Office of Administrative Law Judges ("OALJ");

5. The entire record upon which the Order issued is based shall consist of the Administrator's determination, Respondent's request for hearing, and this agreement.

6. The parties waive any further proceeding before the administrative law judge and waive any right to challenge or contest the validity of the Consent Findings and any Order issued in accordance with the agreement.

7. The Consent Findings fully and finally resolve all outstanding issues between the parties that were raised, or reasonably could have been raised in connection with the Administrator's determination letter of August 12, 2014.

8. Each party shall bear its own costs, attorney's fees and other expenses incurred in connection with this proceeding.

9. The Consent Findings shall have the same force and effect as an order made after full hearing.

SO ORDERED.

COLLEEN A. GERAGHTY
Administrative Law Judge

Boston, Massachusetts