

U.S. Department of Labor

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



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Issue Date: 16 January 2015

CASE NO.: 2014-TNE-14

IN THE MATTER OF

ADMINISTRATOR, WAGE AND HOUR DIVISION

Prosecuting Party/Complainant

v.

SLATER PAINTING COMPANY, INC.

Respondent

DECISION AND ORDER

Pursuant to 29 C.F.R. § 18.9, the parties to this action, Prosecuting Party, the Administrator of the Wage and Hour Division, United States Department of Labor and Respondent, Slater Painting Company, Inc., have negotiated and executed these Consent Findings (a copy of which is appended hereto as Attachment No. 1 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 Slater Painting Company, Inc. on March 25, 2014 with respect to the employment of H-2B workers and the H-2B regulation requirements at its place of employment located at 9607 Gray Boulevard, Austin, Texas 78758 and additional worksites as denoted in Addendum Section F of the Application for Temporary Employment Certification.

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 \$3,328.52 be paid by Respondent to the Department of Labor and shall be deemed to be full and final satisfaction of all contested issues arising out of Respondent's employment of H-2B workers that began on or around January 18, 2010 and ended on or around November 18, 2010.

Finally, **IT IS ORDERED** that the Consent Findings be made part of the record.

ORDERED this 16th day of January, 2015, at Covington, Louisiana.

LEE J. ROMERO, JR.
Administrative Law Judge

NOTICE OF APPEAL RIGHTS: Any party seeking review of this decision and order, including judicial review, shall file a Petition for Review ("Petition") with the Administrative Review Board ("ARB"). The ARB must receive the Petition within 30 calendar days of the date of this decision and order. 20 C.F.R. § 76(a). The ARB's address is:

U.S. Department of Labor
Administrative Review Board
Room S5220 FPB
200 Constitution Ave NW
Washington, DC 20210

Copies of the Petition should be served on all parties and on the undersigned Administrative Law Judge. 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 ARB in determining whether review is warranted.

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