



Issue Date: 04 March 2015

OALJ Case No: 2015-TNE-00004

WHD No: 1706622

In the Matter of:

COWART SEAFOOD,
Employer.

DECISION AND ORDER ON CONSENT FINDINGS

This case arises out of enforcement of the labor certification program for temporary and seasonal agricultural employment of nonimmigrant foreign workers (H-2B workers) under the Immigration and Nationality Act (INA), as amended, 8 U.S.C. §1101, et seq., and its implementing regulations at 20 C.F.R Part 655, Subpart A. The Administrator, U.S. Department of Labor, Wage and Hour Division and Respondent Cowart Seafood have filed Consent Findings resolving all issues in dispute relating to Respondent's contest of the Administrator's Determination Letter of December 5, 2014 regarding Respondent's compliance with the H-2B program. The Consent Findings have been reviewed and are approved in their entirety. Accordingly, IT IS ORDERED:

1. Respondent shall pay \$2,400.00 by cashier's check or certified check made payable to "Wage and Hour Division, U.S. Department of Labor" (noting on the memo line "Case No. 2015-TNE-00005"), and shall deliver payment to United States Department of Labor, Wage and Hour Division, Attn: Mary Doughty, Suite 850W, 170 S. Independence Mall West, Philadelphia, PA 19106-3317 on or before the due date.
2. Should Respondent fail to make the agreed payment within ten days of the due date, the entire amount shall immediately become due and payable together with such additional collection and court costs as may be incurred by the Administrator in pursuing collection.
3. In the event of default, the Administrator may pursue collection actions including, but not limited to, administrative offset, referral of the account to credit reporting agencies, private collection agencies, and/or the Department of Justice.
4. Respondent shall comply fully with applicable law regarding the H-2B program.
5. These Consent Findings and this Order shall have the same force and effect as an Order made after full hearing.
6. The entire record on which this Order is based shall consist solely of the Determination Letter and the Consent Findings.
7. The Administrator and the Respondent waive any right to challenge or contest the validity of the Consent Findings and this Order.

8. All violations set forth in the Determination Letter are deemed fully resolved by the Consent Findings and this Order.
9. This Order shall become final immediately upon its issuance, and constitutes full, final and complete adjudication of this proceeding.

SO ORDERED.

PAUL C. JOHNSON, JR.
District Chief Administrative Law Judge